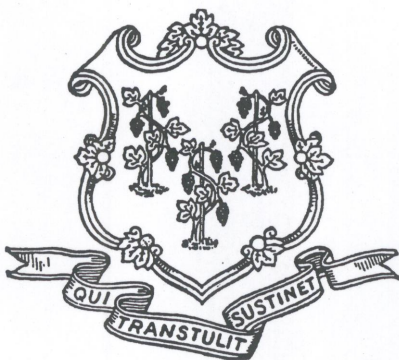


**OFFICE OF VICTIM
SERVICES**

Connecticut
General Assembly



LEGISLATIVE
PROGRAM REVIEW
AND
INVESTIGATIONS
COMMITTEE

December 1998

**CONNECTICUT GENERAL ASSEMBLY
LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE**

The Legislative Program Review and Investigations Committee is a joint, bipartisan, statutory committee of the Connecticut General Assembly. It was established in 1972 to evaluate the efficiency, effectiveness, and statutory compliance of selected state agencies and programs, recommending remedies where needed. In 1975, the General Assembly expanded the committee's function to include investigations, and during the 1977 session added responsibility for "sunset" (automatic program termination) performance reviews. The committee was given authority to raise and report bills in 1985.

The program review committee is composed of 12 members. The president pro tempore of the senate, the senate minority leader, the speaker of the house, and the house minority leader each appoint three members.

1996-1997 Committee Members

Senate

Fred H. Lovegrove, Jr.
Co-chairman
Eric D. Coleman
Eileen Daily
George C. Jepsen
William H. Nickerson
Win Smith

House

Michael J. Jarjura
Co-Chairman
Kevin M. DelGobbo
Brian E. Mattiello
Ellen Scalettar
Peter F. Villano
Julia B. Wasserman

Committee Staff

Michael L. Nauer, Director
George W. McKee, Chief Analyst
Catherine M. Conlin, Chief Analyst
Carrie E. Vibert, Chief Attorney
Brian R. Beisel, Principal Analyst
Maryellen Duffy, Principal Analyst
Jill E. Jensen, Principal Analyst
Anne E. McAloon, Principal Analyst
Renee La Mark Muir, Principal Analyst
Michelle Castillo, Associate Analyst
Scott M. Simoneau, Associate Analyst
Bonnine T. Klare, Executive Secretary

Staff for this Project

Michelle Castillo
Diana L. Gravitch, Research Assistant

LEGISLATIVE PROGRAM REVIEW
& INVESTIGATIONS COMMITTEE

Office of Victim Services

DECEMBER 1998

Table of Contents

Office of Victim Services

KEY POINTS

EXECUTIVE SUMMARY	i
--------------------------------	----------

INTRODUCTION.....	1
--------------------------	----------

I. Overview of Victim Services	3
Historical Overview	3
Statistical Overview	6
II. OVS Roles and Responsibilities.....	9
Organizational Structure and Staff Resources	10
Budget Resources.....	11
Public Awareness.....	14
Intake Process	16
III. Victim Compensation Program	17
Case File Review	21
Claim Processing and Time Frames	24
Compensation Awards.....	28
IV. OVS Direct Services.....	33
Victim Post-Conviction Notification Program	33
Review of Notification Registry	34
Court-based Victim Advocates	40
Findings	41
Victim Assistance Center.....	45
V. Contractual Victim Services and Administrative Matters.....	47
Services for Families of Homicide Victims.....	47
Victim Assistance Programs and Service Contracts	50
Grant Administration	51
Performance Standards and Measures	53
VI. Victim Compensation Programs In Other States	55
Constitutional Amendments	55
State Victim Compensation Programs	56

APPENDICES

- A. Agency Response
- B. Crime Victims' Statutory Rights
- C. Uniform Crime Report Definitions

Table of Contents

- D. Compensation Areas
- E. Profile of Victim Compensation Claimants
- F. Contracted Provider Survey

KEYPOINTS

OFFICE OF VICTIM SERVICES (OVS)

Overall Administration

- Most of the agency's programs lack written policies and procedures.
- More structured and formalized working agreements and collaboration with other victim services agencies would benefit several OVS programs.
- OVS must increase monitoring efforts to periodically measure agency performance.

Victim Compensation

- The Victim Compensation Program appears to be uniformly used statewide.
- Almost 70% of compensation claims receive an OVS decision within a year or less.
- Compensation claims seem to be approved or denied at an approximately equal rate.
- Scheduling delays result in over 70% of review hearings being held more than six months after being requested.
- The median total compensation award is \$1,766.

OVS Direct Victim Services

- Duplication exists in services and population served by the post-conviction notification programs operated by OVS and the Department of Correction.
- Only about one-half of Connecticut's criminal courts have access to a court-based advocate.
- Duties and responsibilities of court-based advocates are varied and not well-defined.
- OVS has not provided formalized training to court-based advocates.

Contractual Victim Services

- Families rarely use more than a small portion of the grief counseling sessions available to them.
- Administrative monitoring of the Homicide Outreach Program has been inadequate.
- Contracted providers indicate general satisfaction with OVS grant administration.

Executive Summary

OFFICE OF VICTIM SERVICES

In March 1998, the Legislative Program Review and Investigations Committee authorized a study of the Office of Victim Services (OVS). The study focus, as approved by the committee, is an examination and assessment of the agency's operations and responsiveness to crime victims.

The Office of Victim Services is the state's lead agency established to respond to the needs of crime victims. It's primary function is to provide statewide victim assistance to crime victims and their families through financial compensation for the personal injuries arising from the crime as well as advocacy, informational services, and referrals.

In assuming its leadership responsibilities, OVS currently:

- administers the state Criminal Injuries Compensation Fund (CICF) and the federal Victims of Crime Act (VOCA) funds for crime *victim compensation* and *victim assistance* programs and services;
- employs court-based victim advocates in various courthouses across the state;
- maintains a toll-free hotline and information clearinghouse;
- operates a post-conviction notification system;
- offers families of homicide victims specialized counseling;
- staffs the state advisory council for victims of crime; and
- promotes coordinated and comprehensive planning of crime victim services.

These responsibilities are carried out through three functional units within OVS. One area administers the victim compensation program with the assistance of appointed compensation commissioners. Another oversees several direct assistance services including the court-based advocates, victim notification, and homicide outreach. A third manages the agency's administrative support activities including grants management, public education, and training.

In reviewing the OVS administration, the committee found most of the agency's programs lack written policies and procedures. Several OVS programs would benefit from more structured and formalized working agreements and collaboration with other victim services agencies. In addition, the committee concluded the OVS administration should periodically measure agency performance through increased monitoring efforts.

Committee analysis of the victim compensation case files suggest the program appears to be uniformly used statewide. Almost 70 percent of the claims receive an OVS decision within a year or less and seem to be approved or denied at an approximately equal rate.

Executive Summary

Scheduling delays result in over 70 percent of compensation review hearings being held more than six months after being requested. The committee found these time frames excessive and must be addressed by setting reasonable processing times and improving administrative policy and procedures for claim determination.

In addition to financial compensation, OVS also provides direct victim assistance through two programs – the Post-conviction Notification Program and the Court-based Advocate Program.

The Post-conviction Notification Program informs eligible individuals of changes in the status of an offender. State law mandates that several different agencies provide victims and other defined individuals with specific information about arrest, conviction, sentence, imprisonment, and release of the accused.

The program review committee found duplication exists in services and populations served by the post-conviction notification programs operated by OVS and the Department of Correction (DOC). Furthermore, the existing technology and access to other services found in the OVS post-conviction notification system surpasses the DOC program.

The Court-based Advocacy Program helps crime victims understand and negotiate their way through the criminal justice system with the assistance of court-based advocates. During recent years, the program has experienced rapid growth. However, only about one-half of Connecticut's criminal courts have access to a court-based advocate.

The program review committee concluded the duties and responsibilities of court-based advocates are varied and not well-defined. OVS has not provided formalized training and, at times, placed advocates in the field with less than adequate administrative resources. The committee believes this situation arose in part because the large influx of new hires materialized before OVS had secured the administrative resources to handle them.

In addition to direct services, OVS also provides assistance to victims and their families through contracts with nonprofit and public organizations. The majority of these contracts are funded and regulated through the federal Victims of Crime Act (VOCA). However, one program, Homicide Outreach, uses state funds to provide contracted grief counseling sessions to families of homicide victims.

A review of the program statistics indicate families rarely use more than a small portion of the grief counseling sessions available to them. Furthermore, administrative monitoring of the program has been inadequate.

Executive Summary

RECOMMENDATIONS

1. OVS adopt a standard for the length of time it deems necessary for normal administrative processing of compensation claims. As of July 1, 1999, OVS should aim to make 75 percent of its determinations on incoming applications within the newly adopted timeframe. Furthermore, OVS must establish written policies and procedures for administratively closing inactive claims.
2. OVS, in consultation with the Office of the Chief Court Administrator, must adopt a written policy and procedures manual regarding the review process. At a minimum, the manual should address:
 - scheduling deadlines;
 - postponements/cancellations;
 - protocols for hearings; and
 - time frames for final decisions.

Each claims commissioner should be provided a manual prior to beginning his or her term. Notice of the hearing policy and procedures should be given to claimants seeking review.

Furthermore, OVS should aggressively pursue the option of having additional claims commissioners temporarily appointed to address any backlog of pending hearings.

3. The statutory requirement for \$100 minimal loss be amended to allow OVS discretion in applying minimal loss in cases deemed to be hardship.
4. OVS discontinue batching invoices and submit them for payment as soon as they are prepared.
5. OVS, in conjunction with the Office of Adult Probation, develop formal recovery policies and procedures and design an interagency tracking system to identify restitution subject to OVS collection.

In addition, OVS should design and maintain a system for projecting recoverable funds from all potential sources including, but not limited to, insurance, court actions, or other collateral source.

Executive Summary

- 6. OVS prepare and formally adopt a written policy and procedures manual for its Victim Notification Program.**
- 7. OVS assume statutory authority over all victim notification mandates by January 1, 2001.**
- 8. OVS, in consultation with all agencies currently required to provide victim notification, shall develop a plan outlining needed changes, resources, and/or necessary working agreements for implementing this mandate. The plan shall be submitted to the General Assembly no later than February 15, 2000.**
- 9. OVS must develop a plan to ensure equal access to court-based advocate services in all criminal courts.**
- 10. OVS shall work with the Division of Criminal Justice to develop by January 1, 2000, written guidelines outlining the victim advocate's specific responsibilities and duties in each courthouse. Such guidelines shall be reviewed at least once every five years beginning in 2005.**

In addition, if the program is expected to expand, an adequate level of supervision must be maintained.

- 11. OVS develop and implement a formalized training program for its court-based advocates. In addition, training manuals must ensure that information provided address the differences and distinctions among courthouses specifically juvenile courts.**
- 12. OVS make every attempt to house their court-based advocates within the courthouse.**
- 13. Prior to any additional advocates being placed in the field, OVS must develop an administrative plan for the transition of court-based victim advocates into the criminal justice system.**
- 14. OVS develop written policy and procedures for the Homicide Outreach Program.**

Subcontractors providing grief counseling for the Homicide Outreach Program should be required to compile client use data as a condition of their service contract. At a minimum, data collected should include: the number and percentage of families accepting services; the number of sessions used per family; and time frames within which sessions are used.

Executive Summary

In addition, OVS should institute a follow-up evaluation process for clients to provide feedback on services they receive.

- 15. OVS develop standardized policy and procedures relating to the referral process to specialized contractual services. In addition, each court-based advocate should be provided a resource guide of specialized victim services available their region.**
- 16. OVS develop strategies to increase public education regarding available victim services. In particular, an explanation of the role and responsibilities of the court-based advocate should be incorporated into the mandated training provided to courthouse personnel including but not limited to prosecutors and judges.**
- 17. The statutory provision limiting OVS contracts to nonprofit organizations be amended to allow OVS more flexibility in contracting.**
- 18. OVS shall develop a set of performance standards to be used in evaluating the agency's overall performance as well as all key components and phases of each program's administration. At a minimum those standards shall address:**
 - specific time frames for claims processing, claims hearings, and payment of awards;**
 - projected amount of recoverable compensation funds;**
 - timeliness of victim notification;**
 - promoting equal access to court-based advocacy in court districts;**
 - ensuring statewide use of programs; and**
 - assessing victim satisfaction with services.**

The standards must be established by January 1, 2000, and measured on an annual basis. A report detailing the outcomes of the performance measures shall be submitted to the chief court administrator.

Introduction

OFFICE OF VICTIM SERVICES

In March 1998, the Legislative Program Review and Investigations Committee authorized a study of the Office of Victim Services. The scope of the study approved by the committee calls for an examination and assessment of the operation, breadth, and responsiveness of the state's program to assist victims of crime.

Scope of Review

Specifically, the scope of the study includes:

- the range of crimes covered by the program;
- the types of services available to victims;
- the items for which victims can be compensated;
- the amount of compensation that victims can receive;
- the amount and type of resources allocated to the program;
- the processes used to determine eligibility for compensation and the amount of compensation awarded;
- the time frames for processing applications and for making payments; and
- the characteristics of crime victim compensation programs in other states.

Methods

In conducting the study, committee staff reviewed applicable statutes, policy, procedures, and literature dealing with the Office of Victim Services. Staff also interviewed OVS staff, victim compensation commissioners, community based service providers, and personnel from the criminal justice system. Surveys were distributed to all OVS contracted service providers in order to find out about their experience with OVS. Case file audits were performed on the victim compensation and the victim notification programs. Data from the Homicide Outreach Program was also analyzed. In addition, field visits were made to several courthouses to interview and observe court-based victim advocates. Finally, testimony from a public hearing held by the committee was also reviewed.

Report Organization

The report contains six chapters. Chapter I provides a historical background of the policy and development of crime victim programs and gives a quick statistical overview of victimization nationwide and in Connecticut. The overall duties and responsibilities of OVS as well as a discussion of resources and expenses are included in Chapter II. Chapter III gives a detailed description and analysis of the agency's largest program -- victim compensation. Discussion and analysis of various operational aspects of the agency's other direct service programs including victim notification and court-based advocates is provided in Chapter IV. Chapter V reviews OVS contractual victim services through the Homicide Outreach Program and grant administration. The last section, Chapter VI, provides a general comparison of other states' victim compensation programs.

Agency Response

It is the policy of the Legislative Program Review and Investigations Committee to provide agencies subject to review with an opportunity to comment on recommendations in writing prior to the publication of the committee's final report. Response to the committee's final report was solicited from the Office of Victim Services. The agency's written response is contained in Appendix A.

OVERVIEW OF VICTIM SERVICES

There are many problems faced by crime victims at every stage of their experience. In addition to the physical and psychological injuries, victims also often suffer expensive and unanticipated medical costs, lost wages, and commitments on their time to participate in the sometimes confusing and complex procedures of the criminal justice system.

Historical Overview

Financial compensation for victims of crime is one of the earliest forms of victim assistance. The first crime victim compensation program was established in California in 1965. During the 1970s, a nationwide movement began to increase public awareness of the rights and needs of victims. By the late 1970s, 22 states administered compensation programs and joined together to form the National Association of Crime Victim Compensation Boards (NACVCB) to promote the creation of a nationwide network of compensation programs. Connecticut joined this movement by establishing the Criminal Injuries Compensation Board in 1978.

In 1983, the U.S. Department of Justice created the Office for Victims of Crime (OVC) within the Office of Justice Programs. OVC's primary function is to act as a national resource center, train professionals, and develop model legislation to protect victims' rights. A year later, Congress passed the federal Victims of Crime Act establishing the Crime Victims Fund. This fund, maintained by federal criminal fines, penalties, and bond forfeitures, provides support to state victim compensation and local victim service programs. By the mid-1980s, compensation programs had been established in 35 states.

On the national level, the 1990 Victims' Rights and Restitution Act incorporated a Bill of Rights for federal crime victims. By the end of 1995, all 50 states had established compensation programs. By 1996, 29 states, including Connecticut, had incorporated victims' rights into their state constitutions. Most recently, Congress passed the Victim Rights Clarification Act of 1997 to provide further assurance of victim rights in federal court.

Federal role. The Office of Victims of Crime in the U.S. Department of Justice is the federal administrative agency dedicated to victim services. Statutorily, OVC is responsible for providing funds to eligible states for victim compensation and assistance programs and establishing programs for training and technical assistance.

The office administers two major grant programs: Victim Compensation and Victim Assistance. Funding for these two programs comes from the Crime Victims Fund, which was established by the 1984 Victims of Crime Act. The money in the fund is derived from criminal fines, forfeited bail bonds, penalty fees, and special assessments collected by the U.S. Attorneys Offices, the U.S. Courts, and the Bureau of Prisons. OVC is required to monitor the states receiving compensation and assistance grants and ensure that corrective action is taken on any problems identified.

The objective of VOCA is to assist states in directly compensating and providing support services to victims of violent crimes and their families. Each state is eligible for VOCA funding to administer *victim compensation* and *victim assistance* programs. States may participate in both programs but must administer them separately. Grants are made available on a formula basis to states. (More information on Connecticut's VOCA funding is provided in Chapter II.)

Victim services in Connecticut. In 1978, the Connecticut General Assembly created the Criminal Injuries Compensation Board. The board was designed to provide monetary compensation to victims of crimes. Since that time, the state's compensation program has undergone organizational and name changes as well as expanding into the area of victim assistance and other services on behalf of victims and their families.

Initially, the board was under the auspices of the Office of Policy and Management (OPM) exclusively for administrative purposes. In 1985, the board was charged with implementing a statewide victim assistance program in addition to its compensation program. To fulfill this mandate, the board hired six court-based victim advocates with the approval of the State's Attorney in the judicial districts in which the advocates were placed.

In 1987, the victim advocate program was expanded, an information clearinghouse was added, and the agency was required to meet periodically with state legislators, state agencies, and victim groups. To meet this requirement, a victim services advisory council was legislatively established with members appointed by the state Chief Justice. At that time, the board was renamed the Commission on Victim Services. In 1993, it became the Office of Victim Services and was made organizationally part of the Judicial Department.

State role. On the state level, several government agencies interact with crime victims. The Office of Victim Services is the lead agency charged with providing victims' compensation and assistance as well as administering the federal VOCA grants programs. In addition, a number of state human services agencies come into contact with crime victims. The Department of Children and Families handles reported cases of child abuse and neglect. The Department of Social Services intervenes in elder abuse and provides funding for family violence assistance, while the Department of Public Health

funds rape crisis services. The Office of Protection and Advocacy for Persons with Disabilities investigates and monitors reports of abuse and neglect.

Crime victims may also become participants in the criminal justice system, if the offender is identified. Agencies in that system include, but are not limited to: the Division of Criminal Justice, the Department of Corrections, the Office of Adult Probation, the Board of Parole, and the Bail Commission.

Victims' rights. By state statute, Connecticut crime victims are entitled certain rights regarding:

- notification;
- attendance at court proceedings;
- victim testimony and input;
- restitution and compensation;
- access to confidential records and test results; and
- family violence matters.

A summary of victims' rights is listed in Appendix B. These rights were further supported in November 1996 when Connecticut passed a constitutional amendment (Article XXIX) according rights to crime victims. The amendment gives victims the right to:

- (1) be treated with fairness and respect throughout the criminal justice process;
 - (2) timely disposition of the case following arrest of the accused, provided no right of the accused is abridged;
 - (3) be reasonably protected from the accused throughout the criminal justice process;
 - (4) notification of court proceedings;
 - (5) attend the trial and all other court proceedings the accused has the right to attend, unless such person is to testify and the court determines that such a person's testimony would be materially affected if such person hears other testimony;
 - (6) communicate with the prosecution;
 - (7) object to or support any plea agreement entered into by the accused and the prosecution and to make a statement to the court prior to the acceptance by the court of the plea of guilty or nolo contendere by the accused;
-

(8) make a statement to the court at sentencing;

(9) restitution which shall be enforceable in the same manner as any other cause of action or as otherwise provided by law; and

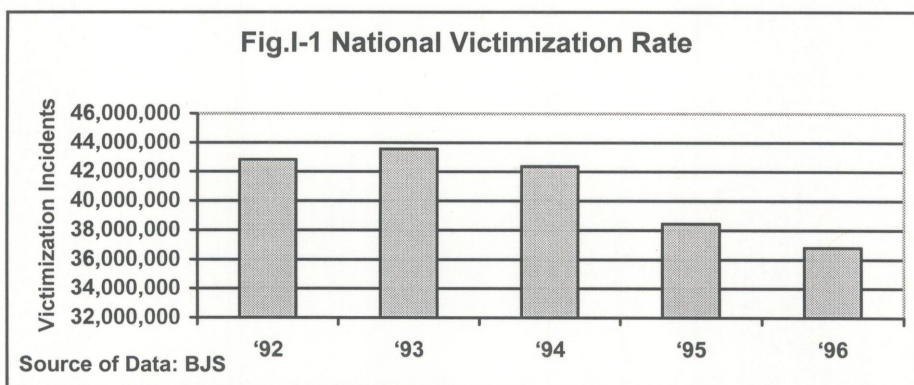
(10) information about the arrest, conviction, sentence, imprisonment, and release of the accused.

Statistical Overview

It is difficult to determine the actual number of Connecticut crime victims. Most reports only reflect crimes reported to law enforcement. The Bureau of Justice Statistics (BJS) of the U.S. Department of Justice estimates that only about one-third of all criminal incidents are actually reported. In addition, sources differ on the definitions of specific crimes, types of crime covered, and elements of the data collected.

Victimization nationwide. The BJS' National Criminal Victimization Survey (NCVS) is one of the nation's largest ongoing household surveys and is considered a primary source of information on criminal victimization. Each year, data are obtained on the frequency, characteristics, and consequences of criminal victimization in the U.S. The survey data estimate how many rapes, sexual assaults, thefts, household burglaries, and motor vehicle thefts U.S. residents age 12 or older and their household experience each year.¹

Figure I-1 represents the rate of victimization as reported by BJS since 1992.² As the figure shows, except for 1993, the estimated rate of victimization nationwide has gradually decreased.



¹ In 1996, approximately 45,400 households and 94,000 people age 12 or older were interviewed.

² NCVS data includes both crimes reported and those not reported to the police. The rates and numbers from the NCVS survey are estimates and are not exact.

According to the NCVS data released in November 1997, U.S. residents experienced nearly 37 million criminal victimizations in 1996. Of these, approximately 27 million involved property crimes while a little over nine million involved violent crimes. Translated into the number of violent and property crimes per 1,000 persons or households, crime rates for 1996 show 42 violent victimizations per 1,000 persons and 266 property crimes per 1,000 households. These victimization rates declined from 1995 and are the lowest recorded by the NCVS since its inception in 1973.³

Victimization in Connecticut. The most widely used statistics on individual state crimes are the Uniform Crime Reports (UCR) compiled by the Federal Bureau of Investigations (FBI). The UCR crime index includes seven offenses: homicide, forcible rape, robbery, aggravated assault, burglary, larceny-theft, and motor vehicle theft. Law enforcement authorities aggregate the monthly number of incidents by offense type and report these totals to the FBI. These reports are prepared from data collected from police departments about the number of crimes reported to the police.

In Connecticut, data on the number of victims of violent crimes are prepared by the Department of Public Safety. These data are based on information provided by municipal police departments, university police, and the Connecticut State Police. These crimes are categorized as either "violent" or "property". Murder, rape, robbery and aggravated assault are tracked under violent crimes. Property crimes include burglary, larceny-theft and motor vehicle theft. (UCR definitions for these crimes are provided in Appendix C.) Table I-1 breaks down the number of Connecticut violent and property crimes for the last five years.

Table I-1. Connecticut Uniform Crime Report Index: 1993-1997						
	1993	1994	1995	1996	1997	% change from 1993-97
Violent Crimes						
Murder	206	216	150	158	124	(40%)
Rape	800	805	773	755	740	(7.5%)
Robbery	6,448	6,151	5,326	5,553	4,999	(22%)
Aggravated Assault	7,593	7,846	6,962	7,012	6,921	(9%)
<i>Total</i>	15,047	15,018	13,211	13,478	12,784	(15%)
Property Crimes						
Burglary	32,049	29,152	29,094	27,574	24,143	(25%)
Larceny-Theft	85,878	84,747	87,141	81,331	78,826	(8%)
Motor Vehicle Theft	19,515	20,168	17,661	16,023	14,541	(25%)
<i>Total</i>	137,442	134,067	133,896	124,928	117,510	(14.5%)
All Crime Total	152,489	149,085	147,107	138,406	130,294	(14.5%)
Source of Data: Connecticut Department of Public Safety						

³ Bureau of Justice Statistics. (1997, November) "Criminal Victimization 1996" National Crime Victimization Survey. Washington, DC: U.S. Department of Justice

During 1997, there were at least 130,294 instances in which persons were victimized in Connecticut. It is important to reiterate that these statistics only reflect those crimes that are reported to, and tracked by, law enforcement. In addition, there are limitations to the definitions used. For example, rape as defined by the uniform crime report would exclude sexual offenses other than sexual intercourse and sexual assaults on males.

As measured by the UCR index, the overall crime rate in Connecticut has gradually decreased since 1993. In 1997, there were 12,784 reported cases of murder, rape, aggravated assault, and robbery in Connecticut. This represents a 5 percent decrease from 1996 levels. Property crimes in 1997, which make up most of the crimes reported in Connecticut, also shows a decrease of 6 percent from the previous year.

Table I-2 presents Connecticut's index crime rate per 100,000 population by type of crime. The total index crime rate was 3,979.7 offenses per 100,000 population in 1997, down from 4,227.4 in 1996. The violent crime rate in 1997 was 390.5 for every 100,000 persons. This is a decrease of 5 percent from 1996. The property crime rate in 1997 was 3,589.2 for every 100,000 persons, a 6 percent decrease from 1996.

Table I-2. Connecticut Crime Rate Index Per 100,000 Population.					
	<i>1993</i>	<i>1994</i>	<i>1995</i>	<i>1996</i>	<i>1997</i>
Violent Crime	459.2	458.6	403.4	411.7	390.5
Property Crime	4,194.1	4,093.6	4,088.4	3,815.8	3,589.2
Total Crime	4,653.3	4,552.2	4,491.8	4,227.4	3,979.7
Source of Data: Connecticut Department of Public Safety					

According to the agencies charged with collecting this data, it is difficult, if not impossible, to attribute the declining crime rate to any one factor. More likely, the decrease in crime rate may be the result of several factors. Among these are socio-economic reasons such as improvements in the economy, fluctuations in unemployment, increased law enforcement, or changes in demographics.

Chapter II

OVS ROLES AND RESPONSIBILITIES

The stated mission of the Office of Victim Services is “to advocate for victims of crimes and to arrange for or provide services and financial compensation when needed. Included in this mission are activities such as:

- statewide planning for improved response to crime victims;
- provision of services to crime victims through contractual agreements;
- service delivery and expanded advocacy in the criminal justice and judicial systems;
- promoting and conducting activities to improve victim safety;
- fostering victim recovery from financial losses through the development of resources such as the Victim Compensation Program; and
- improving multi-system and multi-disciplinary responses to crime victims.”

The Office of Victim Services operates under the provisions of Title 54 of the Connecticut General Statutes (§54-201 through §54-233). Statutorily, OVS has the authority to administer the following major programs to fulfill their stated mission: Crime Victim Compensation program; Court-based Victim Advocate program; Victim Assistance Center; and the Victim Notification program.

In addition, OVS has the statutory duty to:

- apply for and distribute grant funds for programs assisting victims;
- staff the state advisory council;
- provide a victims’ rights training program for law enforcement and judicial personnel; and
- develop and implement a comprehensive plan to administer and coordinate delivery of victim services.

Organizational Structure and Staff Resources

Organizationally, the Office of Victim Services is a division of the judicial branch of the state of Connecticut. There are three functional units within OVS as illustrated in Figure II-1. One area is responsible for managing the administrative support activities of the agency including grants management, public education, and training. Another is responsible for operating the victim compensation program with the assistance of the appointed compensation commissioners. A third oversees several victim assistance services including the court-based victim advocates, victim notification, homicide outreach, and the 1-800 hotline.

The day-to-day operation of the agency is the primary responsibility of the OVS director. As shown in the figure, OVS currently has 36 permanent employees covering the three functional areas. The compensation unit has a claims supervisor, three claims examiners, an administrative clerk, and two temporary secretaries. Administration and contracts management includes an administrative supervisor, public education coordinator, contract specialist, and a buyer specialist. The direct services unit is led by two supervisors who conduct homicide outreach and supervise the 21 court-based advocates. The central office advocate is also responsible for maintaining the victim notification system and hotline. These responsibilities are shared with the direct services supervisor whenever necessary. Further staff expansions are planned for near future.

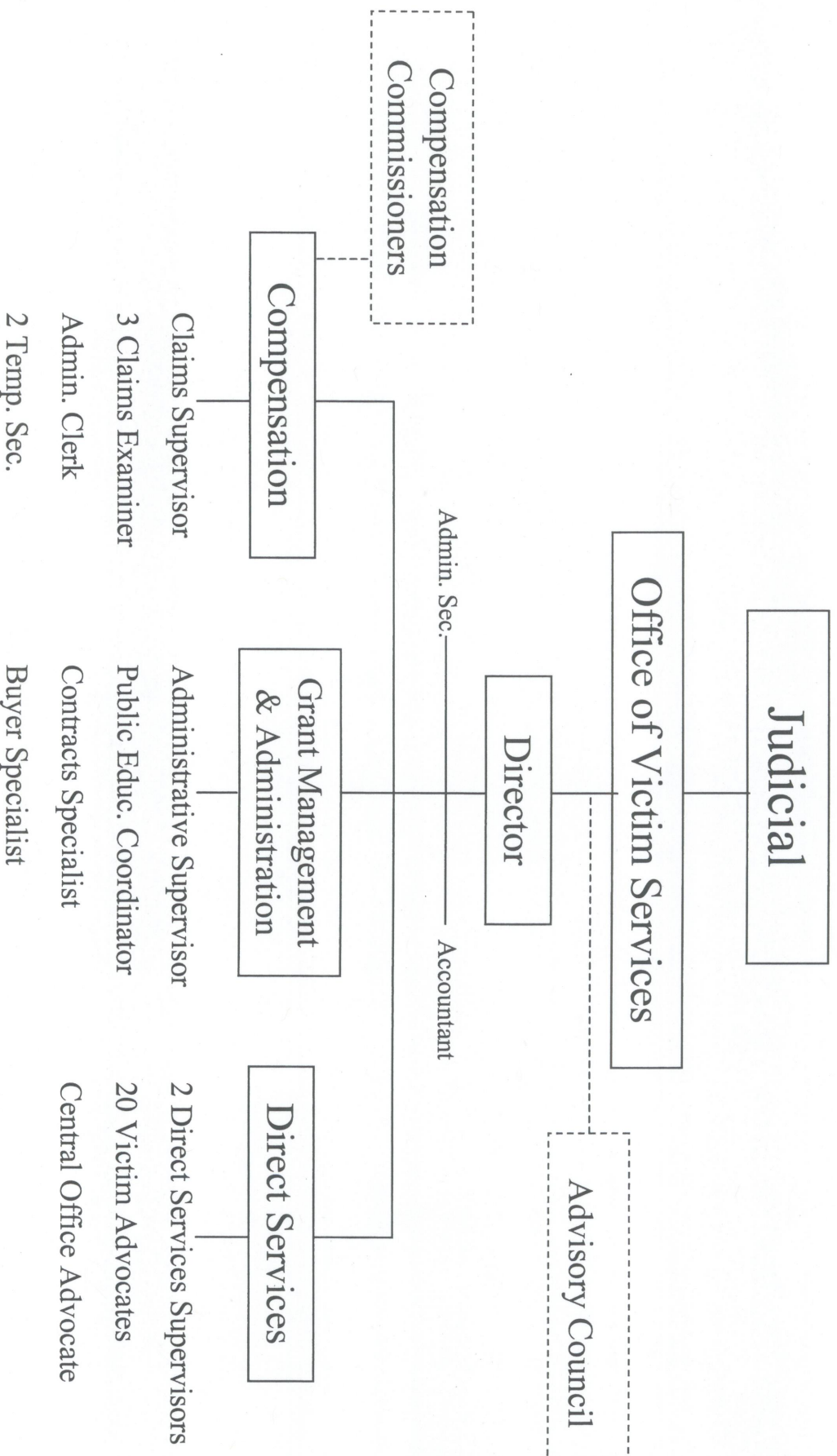
Compensation commissioners. Currently, there are five victim compensation commissioners appointed by the governor to make compensation award determinations. (The commissioner's role in the compensation process is described in Chapter III.) Each member serves a four-year term and only attorneys admitted to practice law in this state for at least five years prior to appointment are eligible.

The chief court administrator designates a chief commissioner from among the five gubernatorial appointees. The commissioners conduct compensation reviews and make determinations regarding those proceedings, receiving \$125 per diem. The governor may reappoint or remove a commissioner. By statute, reasons for removal are limited to inefficiency, neglect, or malfeasance of duties and can take place only after notice and a hearing.

If necessary, the chief court administrator may appoint qualified attorneys to serve as temporary commissioners when regular commissioners are either unavailable or insufficient in number to expeditiously process claims. These temporary commissioners must satisfy the same qualifications and possess the same powers as their counterparts.

State Advisory Council. OVS must also provide staff services to a state advisory council. By law, the council may not exceed 15 members appointed by the chief justice. Membership must include the chief victim compensation commissioner, an unspecified

Figure II-1. OVS Organizational Structure



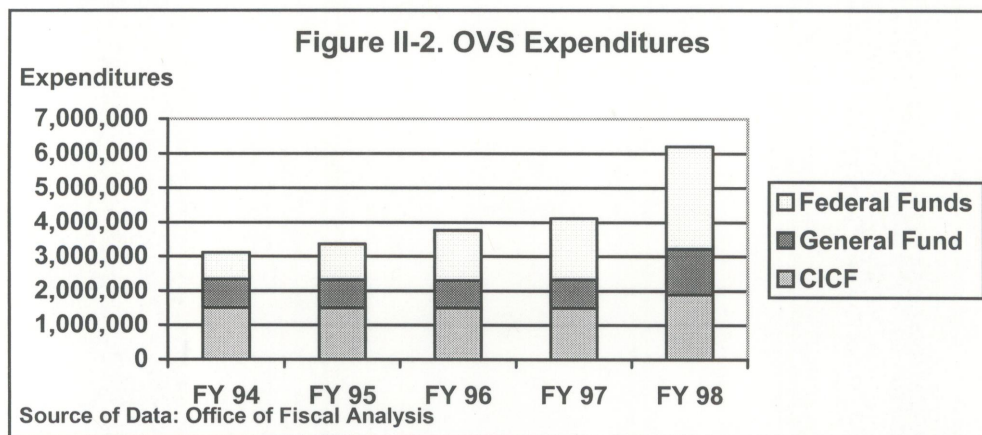
number of members representing the judicial branch, and representatives of executive branch agencies involved with crime victims. In addition, the council must include representatives of the following victim populations: homicide survivors, family violence victims, sexual assault victims, victims of drunk drivers, and assault and robbery victims. The chief justice also appoints two members to serve as co-chairpersons. Members serve four-year terms and receive no compensation for their services. All membership terms have recently expired and OVS is in the process of developing a list of potential advisory council members.

The council is statutorily required to meet at least six times a year. Its mandate is to recommend to the Office of Victim Services legislative or other matters that would improve services to victims of crime and develop and coordinate needs assessments for both court-based and community-based victim services. The council is required to report the results of its findings and activities to the chief court administrator.

Budget Resources

Funding for OVS operations comes from both state and federal sources. On the state level, OVS receives monies from the Criminal Injuries Compensation Fund as well as the General Fund. OVS also receives federal grant contributions from the federal Victims of Crime Act. Figure II-2 illustrates the OVS expenditures from FY 94 through FY 98 by state and federal funds.

As shown in the figure, expenditures have gradually increased over time. In FY 98, the year with the largest increase, OVS had expenditures at slightly over \$6 million. This is primarily due to the increased availability of federal funds, which represent 48 percent of OVS expenditures.



Criminal Injuries Compensation Fund. The Criminal Injuries Compensation Fund (CICF) was statutorily established in 1979. State law defines the sources of revenue as follows:

- \$20 to be paid by those persons convicted of felonies (C.G.S. §54-143),
- \$15 from those persons guilty of misdemeanors or serious motor vehicle violations (C.G.S. §54-143), and
- \$50 from the application fee for pretrial alcohol education for persons charged with violating section C.G.S. §14-227a.

CICF also benefits from donations, any court-ordered payments as well as any money OVS recovers through subrogation. CICF provides payments for compensation awards and recently has been authorized to be used as matching funds for nonprofit contractors to access federal grants. Since 1993, when the agency was re-established as the Office of Victim Services, CICF has remained relatively stable at \$1.5 million. (See Figure II-2 above) In 1997, the legislature increased the fund to \$1.9 million to leverage federal monies.

Although the judicial department has the statutory discretionary use of CICF money, the department has chosen to use CICF solely for compensation claims and direct victim services. Administrative costs are paid through general fund monies. Table II-1 below breaks down OVS administrative expenditures for the last five fiscal years.

As the table shows, the majority of administrative costs consist of personal services. The other expenses cover advertising, printing, telephone, postage, and professional services. The hiring of additional court-based advocates and other administrative staff accounts for the FY 98 increase in personal services.

Table II-1. OVS General Fund Expenditures FY 94-98.

	FY 94	FY 95	FY 96	FY 97	FY 98
<i>Personal Services</i>	\$725,661	\$703,983	\$725,610	\$731,708	\$1,059,987
<i>Other Expenses</i>	\$107,356	\$121,409	\$86,985	\$101,334	\$271,185
Total G.F.	\$833,017	\$825,392	\$812,595	\$833,041	\$1,331,172

Source of Data: Office of Fiscal Analysis

Federal contributions. As noted earlier, federal grants are available to states for both *victim compensation* and *victim assistance* through the federal Office of Victims of Crime. To be eligible for Victims of Crime Act funds, a state must have in place its own victim compensation program. By OVC definition, *crime victim compensation* is a direct

payment to or on behalf of, a crime victim for crime related expenses such as unpaid medical bills, mental health counseling, funeral costs, and lost wages.

To receive VOCA compensation grants, state programs must:

- explicitly include as a compensable crime “criminal violence,” including drunk driving and domestic violence;
- compensate victims of federal crimes occurring within the state on the same basis that victims of state crimes are compensated;
- compensate residents of the state who are victims of crimes occurring outside the state if the crimes would be compensable had they occurred inside that state and the crimes occurred in the states that have no eligible crime victim compensation program; and
- not deny compensation to a victim because of a familial relationship to the offender or because the victim and the offender share a residence, except to prevent unjust enrichment of the offender as defined in written rules adopted by the administering agency or the legislature.

Additionally, a state victim compensation program must promote victim cooperation with law enforcement authorities and not use VOCA funds to supplant otherwise available state compensation funds.

VOCA grants are awarded annually to eligible states and augment state-funded compensation programs. Each eligible state receives a VOCA compensation grant equal to 40 percent of the amount of compensation payments made by the state the previous fiscal year. This grant may only be used for compensation awards. In the event funding for the act is insufficient to provide grants based on the formula, the available funds will be divided so all programs receive the same percentage of the amount awarded by each program during the preceding year. Any grant money awarded to a program that is unspent at the end of the fiscal year in which the grant is made may be used by the program for the next fiscal year, after which any remaining unspent funds have to be returned to the general fund of the U.S. Treasury.

The other OVC administered federal grant is for *victim assistance* programs. As a condition of eligibility, states must use the grants to support public and nonprofit agencies that provide direct services to crime victims such as 24-hour hotlines and domestic violence shelters. States are required to allocate at least 10 percent of their VOCA grants to each of the following priority areas - victims of sexual assault, spousal abuse, child abuse, and other identified previously underserved populations.

Grants are awarded annually to states which then award funds to subgrantees. To qualify for victim assistance funds, a public or nonprofit agency must: 1) use volunteers in providing direct services, unless the state has waived the requirement; 2) promote coordinated victim services in the community; 3) help victims seek crime victim compensation benefits; 4) show it receives financial support from other sources; and 5) certify the funds will not be used to supplant otherwise available state or local funds.

Table II-2 shows the federal VOCA monies for victim compensation and assistance expended by OVS over the last few years. As seen below, the total amount of federal funds available and expended by OVS increased over the years, especially in the area of victim assistance. Further discussion of the use of these federal funds for victim assistance is provided in Chapter V.

Table II-2. OVS Federal Fund Expenditures FY 94-98.					
	FY 94	FY 95	FY 96	FY 97	FY 98
<i>Crime Victim Assistance</i>	\$62,500	\$54,325	\$951,166	\$1,195,755	\$2,215,190
<i>Crime Victim Compensation</i>	\$702,429	\$980,000	\$501,000	\$586,685	\$555,315
<i>Total F.F.</i>	\$764,929	\$1,034,325	\$1,452,166	\$1,782,439	\$2,970,505
Source of Data: Office of Fiscal Analysis					

Federal victim compensation funds, as mentioned earlier, are based on the previous year award and any unspent federal funds may be carried forward. This accounts for the larger amounts in FY 94 and 95. Since that time, federal funds for victim compensation have relatively stabilized.

Public Awareness

OVS conducts numerous annual public education/awareness campaigns. These activities are designed to promote public awareness of victims' rights and resources and aimed to reach different audiences. While part of OVS efforts focus on generating general public awareness and providing information on victim services, they also participate in training and educating professionals about the latest developments in victims services.

General public awareness strategies include posters and public service announcements on radio and television. Mailings and telephone contacts are made to local libraries, town halls, and public housing authorities. Efforts have also been made to target certain groups that victims may turn to for help or support, such as clergy, teachers, and social service workers.

OVS also targets groups or populations that may not or can not easily access services. These include people with language/cultural barriers, persons with disabilities, elderly, or others who are unlikely to report crimes. Outreach is made to social service agencies that may come into contact with these groups, such as Hispanic community organizations, the Department of Social Services which oversees elder abuse, the Office of Protection and Advocacy for Persons with Disabilities, and all Department of Children and Families regional offices.

Most OVS public education efforts are primarily aimed at groups that have known interaction with victims. These include police, law enforcement officials, all of OVS direct services contractors, hospitals, medical personnel, social service professionals, and the various staff of the criminal justice system.

Public Act 97-257 requires OVS provide a training program to judges, prosecutors, police, probation and parole personnel, bail commissioners, officers from the Department of Correction and special deputy sheriffs to inform them of victims' rights and available services. It is estimated this training would cover more than 14,000 public employees.

Presently, OVS already conducts presentations and training to each class of law enforcement recruits, adult probation officers, Board of Parole, and special deputy sheriffs. Certain agencies, such as the Department of Correction and the Office of Chief State's Attorney, are working in conjunction with OVS to provide training without duplicating efforts.

OVS is involved in a number of initiatives to work with law enforcement. In 1996, OVS met with the Connecticut Police Chiefs Association, which agreed to form a standing Victims' Committee of the association. This committee works in conjunction with OVS to develop and implement strategies and activities to promote victim awareness and referral. OVS has also developed a new training package that has recently been piloted on police department trainers who will then, in turn, train their staff. OVS also prints victims' rights cards that are distributed to all police departments for mandated dissemination when responding to calls for assistance.⁴

OVS staff holds and participates in a number of educational forums and conferences. OVS is part of the Division of Criminal Justice's annual briefing, which updates various law enforcement officials on changes in laws. OVS sponsors a statewide conference on victim issues for all of its contracted direct service providers and any one

⁴ Peace officers are required by law to give crime victims who have been physically injured a card prepared by the Office of the Chief Court Administrator informing them of their rights and of available services (C.G.S. § 54-222a). Officers must refer victims to OVS for additional information.

interested in victim issues. It offers specialized seminars on issues identified by providers or the state advisory council. OVS has also established working relationships with several major statewide professional associations such as the Connecticut Nurses Association and the Connecticut Hospital Associations. Whenever possible, OVS attends and makes presentations at medical and social service conferences.

Funding for OVS public education/awareness campaigns comes from different sources. By federal regulation, certain types of training and public education efforts may be paid through federal VOCA money. In 1997, OVS used approximately \$21,000 in VOCA funds for training. Some activities, such as printing and distributing literature, are covered through general administrative funds. Other efforts that are conducted in collaboration with other agencies have shared expenses.

Intake Process

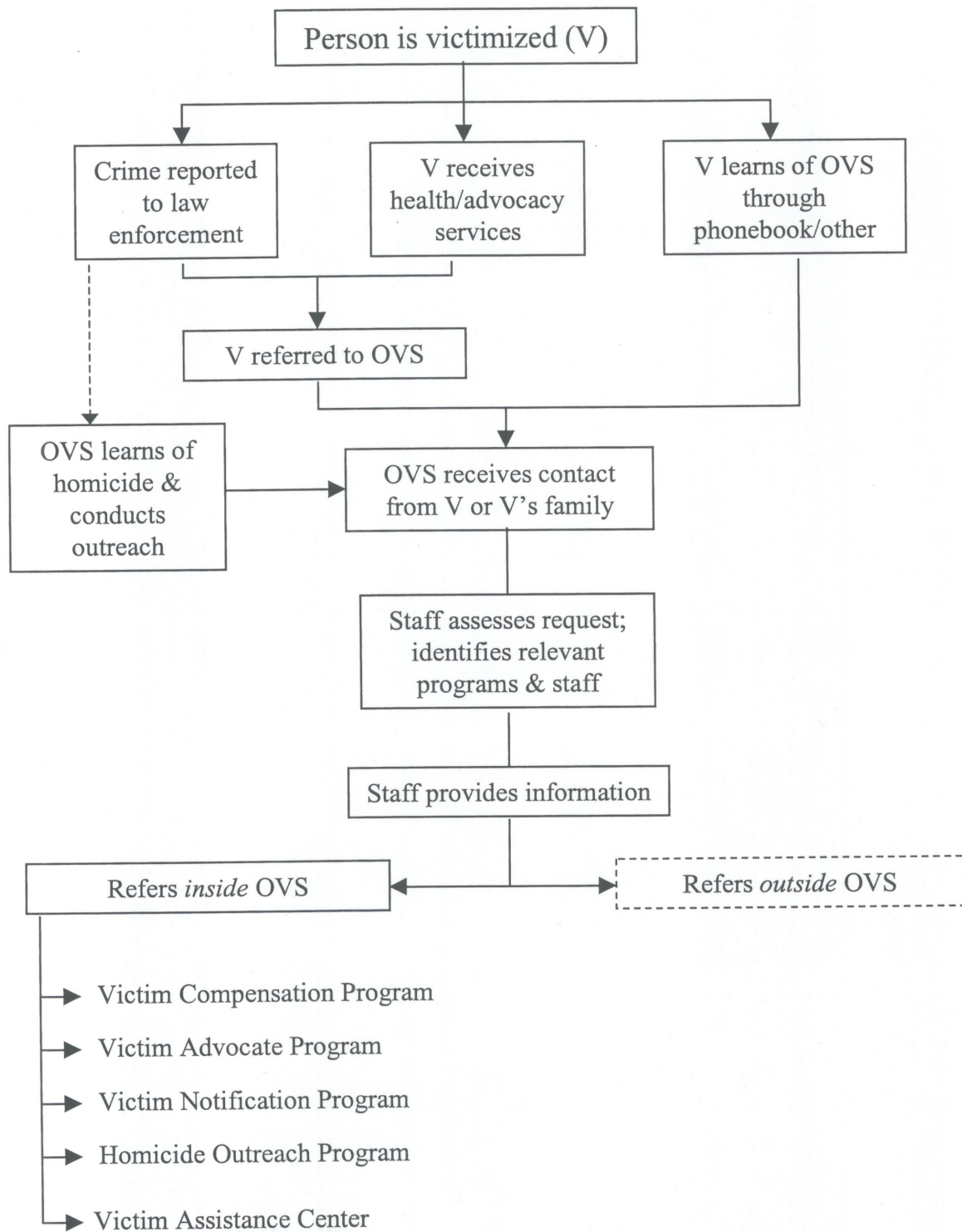
There are number of ways a victim may become aware of the Office of Victim Services (OVS). (See Figure II-3) The victim or others may report the incident to law enforcement. By law, law enforcement officials must give the victim a tear-off sheet prepared by the chief court administrator's office describing the services available to them. The victim may receive services from health or advocacy groups who, in turn, refer the victim to OVS. The victim may become aware of OVS through sources such as phone book or others. A victim contact may occur either through walk-in, telephone, mail, or fax. At times, OVS staff may learn of a homicide victim and initiate contact themselves.

Once contact is initiated, OVS staff listens to and assesses the request and determines the nature of the concern or service needed. Staff then identifies the relevant program and makes a referral to the appropriate staff person who provides information on available services within OVS. These include:

- Victim Compensation Program;
- Court-based Victim Advocate Program;
- Homicide Outreach Program;
- Victim Notification Program; or
- Victim Assistance Center.

If necessary, OVS will refer an individual to outside services.

Fig. II-3 Intake Process



VICTIM COMPENSATION PROGRAM

Compensation Eligibility. Individuals statutorily eligible for compensation include: 1) a victim of a crime who has suffered a personal injury; 2) a person injured while aiding a police officer or another victim; or 3) a family member of a sexual assault, child abuse, or homicide victim.

OVS is also authorized to pay compensation to victims of certain motor vehicle incidents as allowed by statute. General motor vehicle incidents are excluded from compensation, but three exceptions have been put into law. These include: 1) driving under the influence, 2) intentional infliction of injury, and 3) evading responsibility.⁵

Financial compensation is available directly to the victim or relatives on behalf of the victim. If the person entitled to make a claim is a minor or incompetent person, the application must be made by a parent, guardian, or legal representative. Legal representation is not necessary to file a compensation claim. However, a claimant may obtain it, if they so desire. The attorney may take up to 15 percent of the award as a fee. No additional compensation is awarded for attorney fees.

Income level is not a criterion. Financial need does not have to be proven in order to receive compensation. The apprehension or conviction of the offender is also not required. While the law does not require an arrest in and of itself as a qualifying element for compensation, it does require that victims cooperate with law enforcement officials. Victims must report the crime within five days of the incident. However, exceptions may be made in violent crimes such as rape. In those cases, the applicant is given an opportunity to provide an explanation and OVS must then decide if it is reasonable.

The claim application must be made within two years after the date of the incident. However, OVS may grant a waiver if it finds the victim suffered physical, emotional, or psychological injuries as a result of the crime which prohibited the timely application. An applicant may apply for a waiver within six years after the date of the injury or death. A minor who failed to apply for compensation through no fault of his own may

⁵ OVS may pay for personal injury or death resulting from: driving under the influence (14-227a); manslaughter in the second degree with a motor vehicle (C.G.S. 53a-56b); or assault in the second degree with a motor vehicle (C.G.S. 53a-60d); the operation of a motor vehicle by a person who is subsequently convicted in connection with an accident involving serious physical injury or death, or evading responsibility in connection with an accident involving serious physical injury or death (C.G.S. 14-224(a)).

apply for a waiver no later than two years after he reaches the age of majority (18 years) or no later than seven years after injury or death, whichever is sooner.

Table III-1 shows the number of compensation claims received since FY 94. The number of claims had been steadily falling until FY 97. That year OVS received 775 compensation claims, representing a 16 percent increase from the previous year.

Table III-1. Compensation Claims Received.	
<i>Year</i>	<i>Claims Received</i>
FY94	951
FY95	863
FY96	668
FY97	775
Source of Data: OVS	

Compensable items. An award of compensation may be made for:

- out-of-pocket losses incurred as result of the personal injury or death of the victim;
- loss of earning power as a result of total or partial incapacity of the victim;
- loss of support for children and financial dependents of a deceased victim; and
- any other loss resulting from personal injury or death of the victim determined to be reasonable.

Out-of-pocket losses include medical, dental, and counseling expenses. In the case of homicide, funeral expenses may be covered up to \$4,000. Compensation is also available to family members of child abuse, sexual assault, or homicide victims for medical treatment or mental health counseling. Each family member of a child abuse, sexual assault, or homicide victim who needs compensation for their own medical or mental health counseling expenses related to the crime must file his/her own application. Each application is considered a derivative claim and is evaluated separately but kept part of the victim's claim.

Loss of support claims are limited to the maximum available on a homicide claim after funeral expenses are considered. Dependents who are not children of the deceased are asked to provide documentation such as federal tax returns or support orders showing that they were dependent on the deceased's income. Loss of earnings is awarded to the actual crime victim. However, parents or guardians of child victims may be compensated, if the loss of earnings is related to the treatment of the child's victimization.

Items or circumstances not covered by compensation are:

- property losses or theft;
- non-economic loss such as pain and suffering;

-
- incidents when the victim's misconduct or violation of law caused or contributed to his injury or death;
 - losses less than \$100; or
 - losses in excess of \$15,000 (except in homicide cases which have a \$25,000 limit).

OVS will not compensate for expenses covered by other sources. In determining the amount of an award, OVS will take into consideration amounts that have been received or which will be received from any source, such as insurance, public assistance, or worker compensation, by the person making the claim, or from orders of restitution by the court.

OVS must be the payer of last resort. If the crime occurs in Connecticut, regardless of the state of residence of the victim, the Connecticut compensation program is responsible. Connecticut residents victimized in other states must apply in the other states' compensation programs.

Compensation process. When a request for compensation services is made, the request is logged, and an application is sent. (See Figure III-1) Once OVS receives the application, it is checked for proper notarization. If not properly notarized, the application is returned to applicant. Once notarization is complete, the application is deemed a "claim." It is then entered into the system and assigned to an examiner based on the geographical location of the incident. (Appendix D lists the compensation areas).

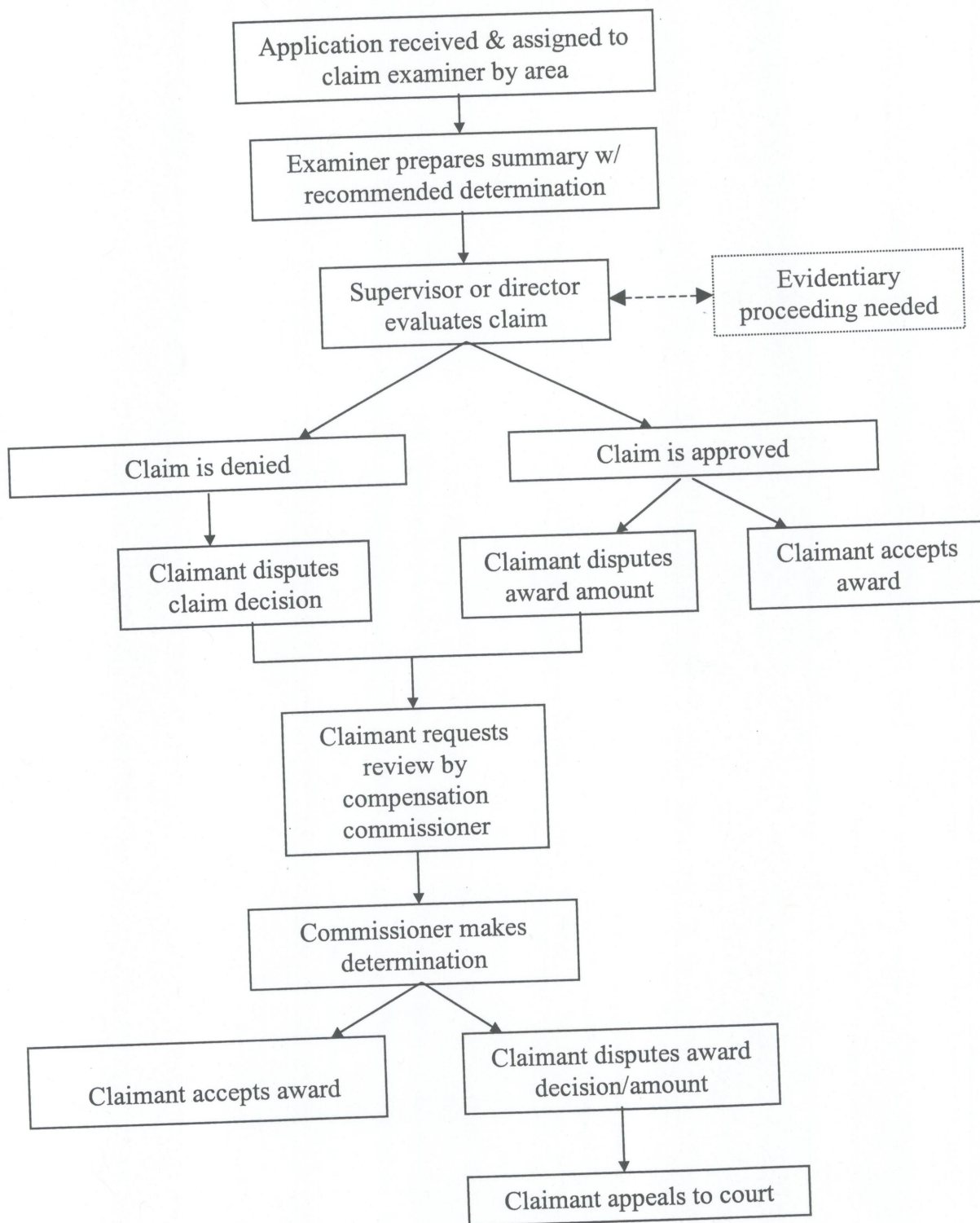
Within five working days of receiving a claim, the examiner sends an acknowledgement letter, a set of informational materials, and a checklist of necessary documents the applicant needs to submit. Before a claim may be evaluated, certain information and materials from police, medical establishments, collateral payers, and employers must be obtained for the file. The applicant must authorize OVS to obtain any materials it needs to complete the file.

The claims examiner reviews information and materials as they are returned to OVS. If necessary, the claims examiner may also conduct interviews of police officers or the victim, contact medical providers or employers, and speak to other state agencies that may have relevant information.

The claims examiner prepares a summary sheet with a recommended action, including a calculated award amount if applicable, and then forwards the file to the director or claims supervisor for a determination. The director or claims supervisor reviews the documents and makes a determination on the claim.

If the information provided is not sufficient to make a determination, an evidentiary proceeding may be held. This would involve taking testimony and obtaining relevant information in a more formal setting.

Fig. III-1. Compensation Process



Evidentiary proceedings are held quarterly in the Bridgeport, Hartford, or New Haven courthouses or at the OVS office in Wethersfield. Evidentiary hearing usually lasts 45 minutes and occurs before an OVS award determination is made. In FY 97, OVS conducted four evidentiary proceedings.

The evidentiary proceeding is conducted by the compensation claims supervisor. Prior to the proceeding, the claims supervisor reviews the file and notes which issues need to be explored and compiles a list of questions to ask the claimant. At the proceeding, which is tape recorded, the claims supervisor explains the procedures that will be followed, places the claimant under oath, asks the previously prepared questions, and records the answers. Any new information gathered at the evidentiary proceeding is used to decide the claim. A letter is then sent to the claimant notifying him/her of the determination.

If the claim is awarded, the claimant can accept the award or reject it. If the claimant accepts the award, OVS must be notified within 45 days from the mailing of the determination or the award may be vacated. If the claimant rejects the award or if the claim is denied, the claimant may request a review within 30 days from the mailing of the determination. Reviews are scheduled quarterly and conducted by a compensation commissioner. (See **Review** below)

After the proceeding, the commissioner delivers his/her review decision and the OVS computer system is updated with the new information. If the claim is denied under review, the claimant may appeal the matter to superior court. Otherwise, OVS processes an award invoice and forwards it to the Judicial Department's accounts payable office in Hartford. There it is processed within two to three working days and sent to the comptroller's office. The check is then mailed from the comptroller's within seven to ten working days.

Claim review process. A claimant may request a review of a claim if denied an award or if disputing the award amount. Reviews are conducted by one of the five statutorily appointed compensation commissioners. Similar to evidentiary proceedings, reviews are scheduled every two or three months in Bridgeport or New Haven courthouses or the OVS offices in Wethersfield. The claims supervisor schedules the compensation commissioners based on their availability. Typically, two compensation commissioners are scheduled to conduct a review of six or more separate claims each.

Prior to the review, the compensation commissioner examines each claim's packet of essential information to familiarize themselves with the relevant issues of the claim. On the day of the review, the full claim file will be available to them. Compensation commissioners conduct reviews in a manner that is meant to conform to the Uniform Administrative Procedures Act.

At the beginning of the proceedings, an explanation is given of the procedures, oaths are administered, and questions and answers are tape recorded. By law, compensation commissioners have the authority to subpoena witnesses whenever necessary. Subpoenaed witnesses may not be excused from testifying or producing records, paper, or documents. A commissioner may apply to the Superior Court for Hartford-New Britain Judicial District for an order directing any person who fails to respond to a subpoena, or who responds but refuses to produce requested documents, to comply with the subpoena or show cause why he should not be required to answer specific question or produce a specific document.

Upon the subpoenaed witness' failure to either comply with the subpoena or show cause, the court may commit him to a correctional center for up to 60 days. Even though the subpoenaed witness is incarcerated for contempt, the commissioner may proceed with the hearing as if the witness testified adversely to his interest in the proceeding. According to the OVS, compensation commissioners have not found it necessary to exercise these powers.

When the review is completed, the commissioner makes a determination and writes a decision. Commissioners may take as much time as needed to make and write a determination. The determination decision is forwarded to the OVS claims supervisor who proceeds to close the claim. In FY 97, 54 reviews were held. As described earlier, any claimant still aggrieved after review may appeal the decision to the court. Only one OVS claim has ever been appealed to superior court. The OVS determination position prevailed.

Case File Review

As part of its study, committee staff conducted a case file review of 354 victim compensation claims. The sample was drawn from compensation claims closed within the last three years. The objective was to profile users of the program and examine adherence to policy, time frames, and other discernible trends.

Profile of Claimants

Origin of claim. Regardless of the victim's state of residence, if the crime occurs in Connecticut, the victim is eligible for benefits under the Connecticut compensation program. Those seeking assistance are assigned to one of three compensation areas based on the geographical location of the incident.

The case file review found the overwhelming majority (99 percent) of the claimants are Connecticut residents. Based on data from the sample, it appears claims are

fairly equally distributed among the compensation areas, with each having approximately 30 percent.

Applicants. Financial compensation is available directly to the victim or relatives on behalf of a deceased victim. If the person entitled to make a claim is a minor or incompetent, the application must be made by a parent, guardian, or legal representative. Legal representation is not necessary to file a compensation claim. However, an applicant may obtain it, if they so desire.

From the case sample, the committee found:

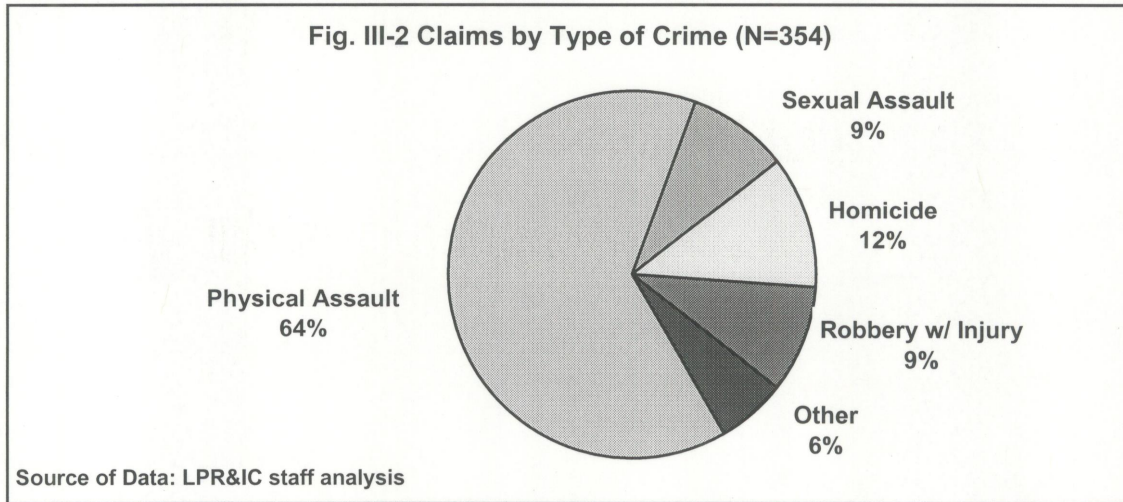
- in 76 percent of the cases, the applicant was the victim;
- in the remaining 24 percent of the cases, the applicant was some one other than the victim, usually a parent of a child victim or a relative of a deceased victim; and
- most of the applicants (86 percent) do not have legal representation at the time the application is made.

Victim demographics. Table III-2 provides data on victim gender and age at the time of the incident. As the table shows, 69 percent of the victims were male and 31 percent were female. In terms of a victim's age at the time of the incident, slightly more than one-third were in their 20s. Victims in their 30s comprised the next largest age group. Thus, 61 percent of the victims were between 20 and 39 years old.

Table III-2. Sex and Age of Victims Seeking OVS Compensation.			
Age at time of incident	Male	Female	Total
Under 13	7	9	16 (5%)
13-19	33	15	48 (14%)
20s	91	30	121 (34%)
30s	68	26	94 (27%)
40s	27	13	40 (11%)
50+	16	17	33 (9%)
<i>Total</i>	242 (69%)	110 (31%)	352
Source of Data: LPR&IC analysis			

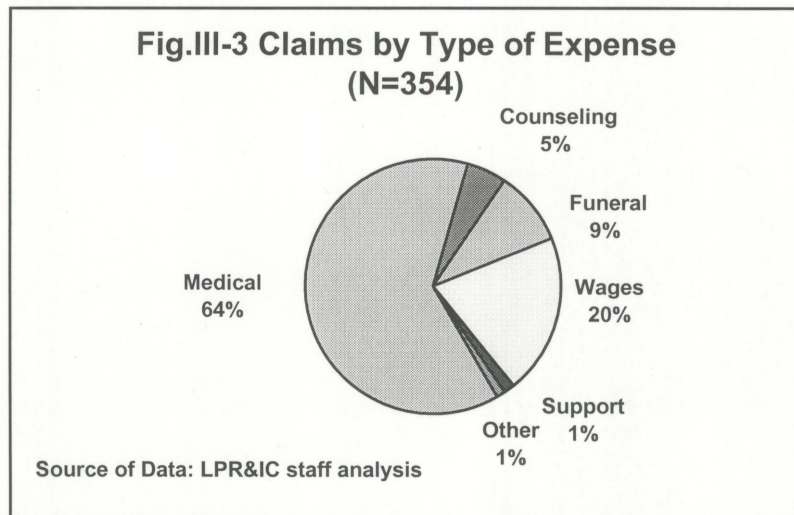
Forty percent of the applications failed to include information on racial origin. Therefore, meaningful analysis of racial demographics was not possible. Further analysis on a victim's profile is provided in Appendix E.

Types of crimes covered. The distribution of the type of crime committed against those seeking compensation is presented in Figure III-2. As can be seen in the figure, nearly 75 percent of the claims involve assaults (64 percent physical and 9 percent sexual assaults).



Types of claims submitted. Crime victims and their dependents may submit claims for out-of-pocket expenses due to the victim's personal injury or death including: medical; dental; counseling; funeral; or the victim's loss of earning power as a result of total or partial incapacity. The pie chart in Figure III-3 illustrates the distribution of claims by the type of expense sought.

The committee found the most common type of claim (64 percent) is for the victim's medical expenses. The second most frequent claim is for the victim's loss of wages followed by the victim's counseling and funeral expenses. Less common were claims to support individuals other than the victim such as the victim's dependents.



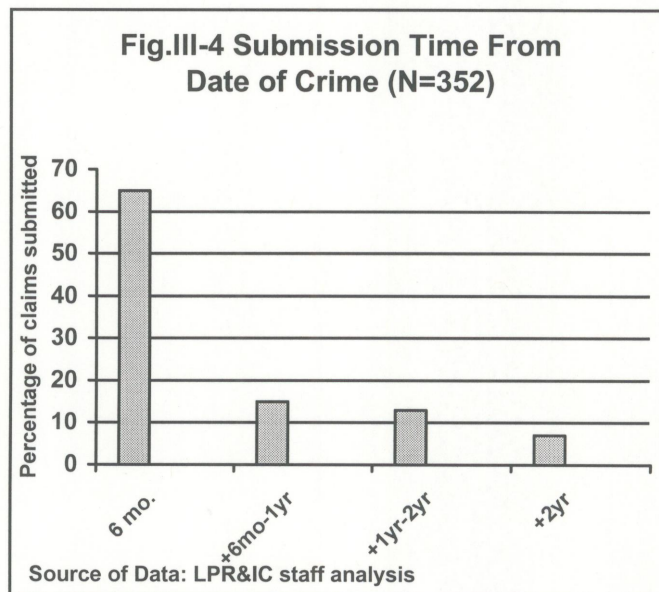
Summary. Based on its analysis of the victim compensation claims data, the committee finds:

- *the program appears to be uniformly used throughout the state;*
- *the applicant is generally the victim;*
- *most compensation claims involve a victim in their 20s or 30s (61 percent);*
- *claimants are generally male (69 percent); and*
- *medical expenses are the most common type of claim submitted (64 percent).*

Claim Processing and Time Frames

Submission of claims. Applications for compensation must normally be made within two years after the date of the crime. OVS is authorized to waive the filing requirements in certain circumstances. Figure III-4 examines the length of time between when a crime occurs and when a victim decides to submit an application. From its sample, the committee found:

- 65 percent of the claims were submitted within six months of the crime;
- 15 percent of the claims were filed between six months to a year later; and
- 13 percent submit an application one to two years after the fact, while seven percent (25 cases) filed more than two years later.

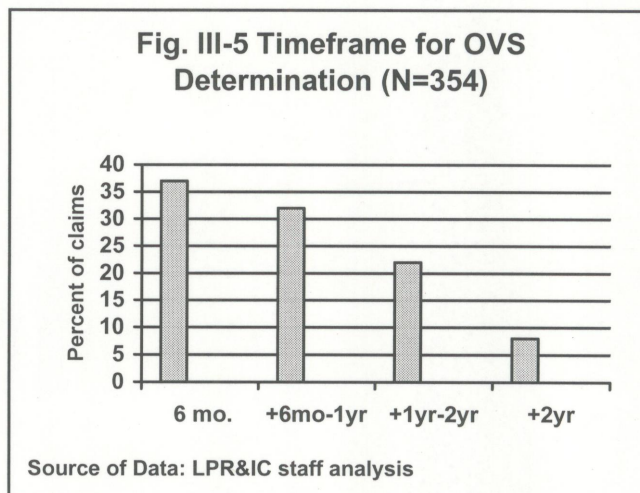


Cases filed after two years are typically crimes involving a minor or sexual assault where the applicant may apply for a waiver to submit a claim. The committee found very few cases where a waiver was denied for being filed in an untimely manner.

Time frames for OVS determinations. When a victim applies for compensation, the OVS claims examiner evaluates the claim by reviewing the application, police report, medical reports, related bills, proof of employment, and any third party collateral sources. A written determination regarding the applicant's eligibility is then made, and the

applicant is notified of the decision. Figure III-5 shows the time between receipt of an application and an OVS determination.

The committee found 37 percent of the claims have an OVS decision made within six months, while 32 percent receive a determination between six months to a year after filing. Thus, almost 70 percent of claims are decided within a year or less. The remaining 30 percent of claims take more than a year. Specifically, 28 claims or eight percent took more than two years to reach a determination.



The time frame in which an OVS decision is made is predicated on a number of factors. Among them is waiting for proper documentation from various entities such as insurance companies, employers, and medical providers. From the case files, the committee also found several instances where claimants were responsible for the delays.

Particularly in claims pending for more than a year, the committee found many cases where claimants moved without a forwarding address or for other reasons were no longer in contact with OVS. Present OVS policy allows a case to remain open until the claimant decides to pursue the claim again. As a result, cases may be open, though inactive, for long periods of time before a determination is made.

The committee concludes the time frames are excessive. OVS must take action to decrease processing time by setting reasonable processing times and improving administrative policy and procedures for claim determination. Thus, the program review committee recommends:

The Office of Victim Services adopt a standard for the length of time it deems necessary for normal administrative processing of compensation claims. As of July 1, 1999, OVS should aim to make 75 percent of its determinations on incoming applications within the newly adopted time frame. Furthermore, OVS must establish written policies and procedures for administratively closing inactive claims.

OVS determinations. Table III-3 shows the OVS determinations by the type of crime for the 354 claims examined. The table shows the overall probability of a claim being approved or denied by OVS is approximately equal. When compared by type of

crime, assault claims were found to be approved and denied at a similar rate. Claims for sexual assault, robbery with injury, and homicide appear to be approved at a slightly higher rate. Other types of claims, such as those involving motor vehicles, seem to be approved at a lower rate.

Table III-3. Ratio of OVS Determinations by Type of Crime.			
Type of Crime	Denials	Approvals	Total
Assault	120 (53%)	106 (47%)	226
Sexual Assault	12 (37%)	20 (63%)	32
Homicide	19 (46%)	22 (54%)	41
Robbery w/ Injury	12 (36%)	21 (64%)	33
Other	13 (59%)	9 (41%)	22
Total	176 (49.7%)	178 (50.3%)	354
Source of Data: LPR&IC analysis			

Denials. Table III-4 lists the primary reasons for denial. As the table shows, failure to cooperate with OVS or law enforcement is among the top reasons for denial (32 percent). Typically, failure to cooperate means the claimant has not responded to inquiries or requests for information from OVS or law enforcement. Evidence of an available collateral source such as medical insurance is also a common reason for denial (30 percent).

Table III-4. Reasons for Denials. (N=176)	
Reason for Denial	Number and Percent of Denials
Lack of cooperation w/ OVS or police	56 (32%)
Collateral source available	52 (30%)
Contributory behavior	31 (18%)
Non-compensable item	16 (9%)
Failure to file	11 (6%)
Less than \$100	8 (4%)
Derivative/Duplicate claim	2 (1%)
Source of Data: LPR&IC analysis	

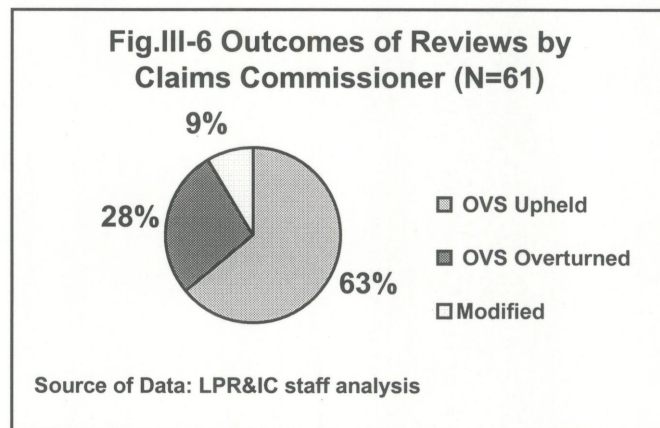
It is noteworthy that in 18 percent of the cases the reason for denial was listed as contributory conduct. State law prohibits OVS from compensating victims whose misconduct in violation of the law caused or otherwise contributed to their injury. Contributory conduct is initially determined by the police. However, if contested the issue may be reviewed by a claims commissioner.

Other denial reasons found in the sample included: claims less than \$100 (four percent); uncompensable items such as property loss (nine percent); failure to file police

report or application in a timely manner (six percent); or a derivative/duplicate claim (one percent).

Review by claims commissioner. If denied, the claimant may request a review by one of the five statutorily appointed compensation commissioners. Of the 176 denials, only 61 claimants (35 percent) requested a review by a claims commissioner.

Figure III-6 presents the outcome of reviews conducted by a claims commissioner. As the figure shows, the review outcome in 63 percent of the cases was to uphold the original OVS determination. In 28 percent of the cases, the first determination was overturned, and in 9 percent or 5 cases the initial OVS decision was modified in some way.



Time frames for decisions under review. Under state law, claimants have 14 days from the time they receive an OVS determination to request a review by a claims commissioner. Table III-5 shows the time from when a hearing is requested and scheduled until a final decision is rendered.

Table III-5. Time Frames for Hearings by Compensation Commissioner.	
Amount of Time from Hearing Request to Decision Made	Number and Percentage of Cases
Within a month	4 (7%)
One to six months	11 (19%)
Six months to 1 year	21 (36%)
More than 1 year	22 (38%)
Source of Data: LPR&IC analysis	

As the table shows, about a quarter of the cases received a commissioner's decision within six months of the request for a review. However, 21 cases or 36 percent of those requesting a review did not receive a decision until six months to a year later. Twenty-two cases (38 percent) had to wait more than a year. Thus, over 70 percent of the reviews were held more than six months after being requested.

An examination of the cases revealed the primary reason for the delays in making a final determination upon review is the scheduling of the hearing. The case files suggest

scheduling delays are frequently the result of claimants not appearing or rescheduling hearings multiple times. In addition, OVS must schedule a hearing based upon the claim commissioner's availability. As such, finding a mutually acceptable hearing date adds to the overall time before a hearing is set.

This problem is compounded by the fact there are no formal policies or procedures covering the review process. Although victims seeking a review are required to submit their request within 14 days of an OVS determination, no time frame exists for when a hearing should be held or a decision made. OVS provides minimal guidance to claim commissioners regarding the review process.

The committee believes the time frames for scheduling reviews are too long and need to be addressed through policy and resources. Currently, there are five statutorily appointed claims commissioners to conduct reviews. However, state law permits the chief court administrator to appoint additional temporary victim compensation commissioners whenever "necessary for the expeditious processing of claims." According to OVS, this option has never been exercised.

To ensure reviews are held in a timely and uniform fashion, the program review committee recommends:

OVS, in consultation with the Office of the Chief Court Administrator, adopt a written policy and procedures manual regarding the review process. At a minimum, the manual should address:

- **scheduling deadlines;**
- **postponements/cancellations;**
- **protocols for hearings; and**
- **time frames for final decisions.**

Each claims commissioner should be provided a manual prior to beginning his or her term. Notice of the hearing policy and procedures should be given to claimants seeking review.

Furthermore, OVS should aggressively pursue the option of having additional claims commissioners temporarily appointed to address any backlog of pending hearings.

Compensation Awards

Award agreements. As mentioned earlier, there are limits to compensable items. A compensation award cannot exceed \$15,000; except homicide cases which cannot exceed \$25,000. If the claimant's losses exceed award limits, OVS attempts to negotiate

with providers to accept a lesser amount. OVS states it is usually successful in negotiating such agreements. Furthermore, a \$100 deductible is imposed by state law. It is applied one time on every claim. Table III-6 below shows the aggregate compensation awards made since FY92.

Table III-6. Victim Compensation Payments	
<i>Year</i>	<i>Victim Payments</i>
FY92	\$ 3,448,723
FY93	\$ 1,267,494
FY94	\$ 2,216,991
FY95	\$ 2,494,900
FY96	\$ 2,001,000
FY97	\$ 2,082,907
Source of Data: OVS	

Amount of awards. Table III-7 shows the range and average award amount by type of claim. Medical claims, the most common type, ranged from \$15 to \$14,900, with a median of \$984. Claims for counseling had the lowest cost – a median of \$406. The least frequent type of claim -- support claims for dependents of deceased victims -- had the largest median at \$7,000. Overall, the median amount received in a victim compensation claim was \$1,766.

Table III-7. Award Amounts				
Type of Claim	Number Awarded	Range	Average	Median
Medical	137	\$15 - \$14,900	\$2,139	\$984
Counseling	14	\$136 - \$4,680	\$1,034	\$406
Funeral	23	\$682 - \$4,000	\$2,739	\$2,400
Support	5	\$6,900 - \$17,600	\$10,500	\$7,000
Wages	65	\$6 - \$14,898	\$2,593	\$882
Total Award			\$3,256	\$1,766
Source of Data: LPR&IC analysis				

Emergency awards. Pursuant to §54-217 of the General Statutes, OVS may grant emergency awards for cases in which undue hardship will result if immediate payment is not made. An emergency award can be made by the claims supervisor if the claimant requests it. OVS may issue an emergency award if a victim needs immediate medical treatment or medical prescriptions or cannot work because of injuries relating to a crime and has an immediate need for funds. The expedited request would go through the same process as a regular claim and any emergency award would be included in the determination award. In FY 97, OVS issued 17 emergency awards.

Minimum loss/deductible. State law requires no compensation be awarded for the first \$100 of costs sustained by the victim. Neither legislative history nor OVS staff could provide a rationale for this policy. The policy appears to be a method of discouraging minimal or perhaps frivolous claims. However, the committee found instances in the sample where this policy can add insult to injury for some victims.

Examples of this include:

- a young woman is sexually assaulted; receives counseling from a nonprofit agency but has no collateral source for medical exam; OVS must deny claim because exam is less than \$100;
- a low income elderly woman is assaulted and robbed at home; insurance pays portion of medical treatment; however, difference does not exceed \$100; OVS must deny claim; and
- a man is physically assaulted and sustains medical losses for \$100.57; OVS applies minimum loss and awards claim for 57 cents; victim does not accept award.

The committee finds the minimum \$100 loss requirement to be arbitrary and should not be applied in a program designed to aid victims with their out-of-pocket costs. Therefore, the committee recommends **the statutory requirement for a \$100 minimal loss be amended to allow OVS discretion in applying minimal loss in cases deemed to be hardship.**

Payment. Once a claim is approved and formally accepted, OVS prepares a payment invoice. Invoices are held and “batched” into groups of 20 prior to being sent to the Judicial Department’s accounts payable office. According to OVS, this is done for administrative ease. Table III-8 shows the number of awards and the amount of time spent waiting to be batched.

Table III-8. Claims Waiting to be Batched.	
Wait Time	Number and Percent of claims
Two weeks or less	3 (8%)
More than 2 weeks – 1 month	9 (23%)
More than 1 month - 3 months	16 (40%)
More than 3 months - 6 months	10 (25%)
More than 6 months	2 (5%)
Source of Data: LPR&IC analysis	

As the table reveals, approved claims wait for payment for long periods of time. Specifically, the committee found:

- 70 percent of the approved claims were held more than a month before being sent to be processed; and
- the administrative practice of “batching” awards is a contributing factor in the delay in the processing of claim payments.

Therefore, the committee recommends **OVS discontinue batching invoices and submit them for payment as soon as they are prepared.**

Subrogation rights and recovery. When OVS makes an award to a victim, it becomes entitled to the legal rights a victim has against the person responsible for the injuries. Through subrogation, the agency may file a lawsuit against the person or persons responsible for the injury or death whenever it makes an award. This is called a subrogation action.

By law, the attorney general is entitled to initiate a lawsuit on behalf of OVS to recover damages from the offender. If the attorney general declines to do so, the office may hire a private attorney. If successful in recovering damages on behalf of the applicant, the applicant must reimburse the commission for two-thirds of the amount OVS paid out. If more than two-thirds of the compensation award is recovered through such a lawsuit, the state must pay to the award applicant the balance exceeding the two-thirds, less costs and expenses. (C.G.S. § 54-212)

According to OVS, recovery through litigation has not been actively pursued. Another way OVS may be able to recover funds is through court ordered restitution. As part of its sentencing powers, a court may order a defendant to make restitution for loss or damages as a condition of probation or discharge. The court may fix the amount of restitution and the time period within which it must be made (C.G.S. § 53a-30(a)).

The Office of Adult Probation (OAP) in the judicial branch monitors the defendant’s performance of conditions imposed by the court. In FY 97, the judicial branch reports adult probation restitution receipts totaling slightly more than \$3 million. According to OVS, attempts are made to track restitution. However, staff resources limit their efforts.

Discussions with OAP and OVS suggest there is little interaction between the two agencies and exactly how much restitution would be subject to OVS recovery is unknown. In addition, no formal policy and procedure exists regarding the recovery of these monies.

In September 1998, OVS hired a recovery specialist to identify and pursue any potential recovery of funds. The committee also recommends:

OVS, in conjunction with the Office of Adult Probation, develop formal recovery policies and procedures and design an interagency tracking system to identify restitution subject to OVS collection.

In addition, OVS should design and maintain a system for projecting recoverable funds from all potential sources including, but not limited to, insurance, court actions, or other collateral sources.

OVS DIRECT SERVICES

In addition to financial compensation, OVS also provides direct victim assistance through two programs. The Post-conviction Notification Program informs eligible individuals of changes in the status of an offender. The Court-based Advocacy Program helps crime victims understand and negotiate their way through the criminal justice system with the assistance of court-based advocates. In addition, OVS maintains the Victim Assistance Center.

Victim Post-Conviction Notification Program

Since 1994, OVS has been statutorily required to maintain a victims' notification clearinghouse. Through the program, OVS notifies eligible individuals, at their request, of an offender's potential change in status. Information may include dates and locations of:

- parole hearing;
- sentence review;
- sentence modification;
- prison discharge;
- parole release;
- halfway house release;
- transitional supervision release;
- pardons hearings;
- escape and recapture dates; and
- date of death while in prison.

Connecticut law authorizes the Boards of Parole and Pardons, the Department of Correction (DOC), sentencing courts, and the sentence review division to allow OVS direct access to records in their custody, including computerized criminal history record information. This authorization is limited to information OVS needs to perform its duties regarding victim notification.

Persons who may request OVS notification include: crime victims, guardians of crime victims, family members of homicide victims; legal representatives of crime victims; inmate family members; and state's attorneys.

Notification Process. When OVS receives a notification request, it is entered into their system with the inmate number. The inmate number is provided by the victim if possible, or the OVS staff will conduct a name search on the Department of Correction computer system.

Every day a report is produced listing all the inmate numbers in the victim notification system. Each inmate number is cross-checked in the computer system to determine if a notification request has been submitted for this inmate. In addition to accessibility to the automated computer system, the Department of Correction also sends OVS a daily computer printout with up to the moment inmate status. The Board of Parole sends preliminary and regular docket reports on a monthly basis and written updates by mail or fax on a regular basis.

Whenever a match is found and the inmate's status changes, OVS contacts the person who filed the notification request, and a notice is mailed to all interested parties. As a general rule, victims receive as much notice as possible. Inmate release notices are sent 30 days prior to release. However, updates may also be provided by phone at any time. It is the responsibility of the person requesting notification to ensure OVS has a current address and telephone number. All requests and OVS contacts are confidential.

Table IV-1 displays the growing number of victims registered with OVS. As the table shows, the OVS notification registry has more than tripled since FY 1993.

Table IV-1. OVS Post-Conviction Notification Registry	
<i>Year</i>	<i>Victims Registered</i>
FY 93	480
FY 94	728
FY 95	965
FY 96	1220
FY 97	1540
Source of Data: OVS	

There are limitations to the current notification system. OVS cannot notify persons about furloughs, or give information about persons only accused of a crime or persons convicted of a crime in another state. However, OVS may be able to suggest how to obtain further information.

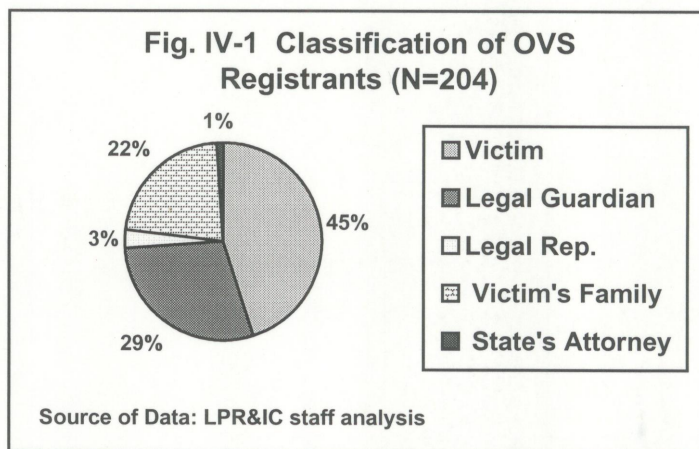
Review of Notification Registry

The OVS notification registry currently lists over 1,400 individuals. The committee examined the registry and selected a random sample of 204 clients. The

primary purpose of the review was to profile individuals using the registry and to determine timeliness of notices.

Profile of OVS notification registrants. Figure IV-1 shows the classification of the registrants in the committee's sample.

As the figure shows, 45 percent of the registrants are the crime victims themselves. Twenty-nine percent are the parent or legal guardian of a victim. Another 22 percent are members of a deceased victim's family. Only three and one percent respectively are legal representatives and state's attorneys. Inmate family members were not present in the sample.



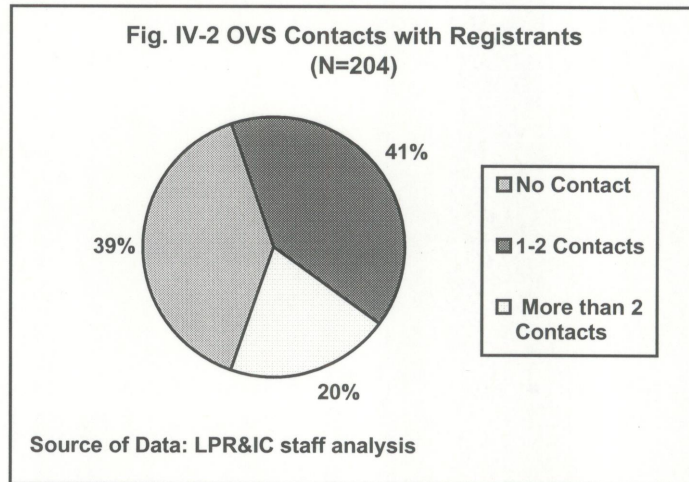
The committee found a large portion of registrants (68 percent) were women seeking information on predominately male offenders (94 percent). The sample indicated 70 percent of these offenders are incarcerated for violent crimes including: varying degrees of sexual assault, murder, manslaughter, and physical assault. Other crimes found among the list of offenses include: burglary, robbery, larceny, and risk of injury to a minor.

The committee traced the number of individuals requesting information per inmate. A majority of inmates being tracked had only one person seeking information about their status. However, a review of the entire registry listed as many as eight people seeking information on one inmate.

Timeliness of notices. OVS general policy is to provide victims as much notice as possible. Whenever necessary, updates or emergency notices may be provided by phone. All contacts with a registrant are logged onto the computer system.

The committee examined the communications listed for the 204 registrants in the sample. These communications were checked for the frequency of contact either by phone or letter and evaluated for timeliness of notices.

Figure IV-2 shows that for 39 percent of the cases a change in offender status had not occurred. Thus, no contact was made with the registrant. The remaining 61 percent of registrants received some form of OVS communication. Of these, slightly more than two-thirds had one to two OVS contacts either by phone or letter. The remaining one-third had two or more contacts.



As noted above, OVS provides registrants with information on a variety of possible inmate status changes. Table IV-2 illustrates the timeliness of OVS notices by showing the range and average time frame of OVS notice by the type of status change.

Type of Status Change	Range of Written Notice Time From the Date of Status Change	Average
Parole Hearing *	(- 4) to 63 days	30 days
Release to Halfway House	1 to 8 days	4 days
Parole Release	1 to 91 days	20 days
Sentence Modification/Review*	(-27) to 29 days	18 days
Release to Transitional Supervision*	(-5) to 2 days	1 day
Prison Discharge	6 to 30 days	26 days

* A negative notice time indicates written notice was sent after status change occurred. Further examination of these cases revealed registrants received phone updates prior to written notice.

Source of Data: LPR&IC analysis

As the analysis shows, the range of notice time varies considerably. In some instances, written notification was sent after the inmate status change had occurred. However, further examination of these cases indicated the registrant received a phone update prior to the written notice being sent.

The committee believes the variability of notice time is in part related to the fact OVS must rely on numerous other organizations for information. The problems associated with this situation is compounded by the absence of a written manual dictating the policies, procedures, or protocols OVS must follow in obtaining and disseminating information.

Therefore, the committee recommends **OVS prepare and formally adopt a written policy and procedures manual for its Victim Notification Program.**

Victim information and notification provided by other agencies. In Connecticut, crime victims are entitled by law to receive certain information and, at times, they may request notification about various circumstances. The following is a brief description of the types of information victims are statutorily entitled to receive and the notification services available to them.

The law requires the Department of Correction to notify any crime victim submitting a request and providing a current address certain information regarding inmates. In particular, victims may be notified before an inmate is released from a correctional facility due to: the scheduled termination of a determinate sentence; a transfer to a halfway house, group home, mental health facility, or community residence; or any other early release provision, other than a furlough (C.G.S. §18-81e).

The state's attorney office must notify any victim who requests notification and provides a current mailing address of any judicial proceedings in his case, including: arrest, arraignment, release pending judicial proceedings, guilty pleas, trial, and sentencing (C.G.S. § 51-286e).

State law also requires that prosecutors notify any victim of a Class A, B, or C felony and of class D sexual assault who requests notice and provides a stamped self addressed postcard about the sentencing hearing and any judicial proceeding regarding the acceptance of a plea pursuant to a plea agreement. The victim may testify or submit a written statement to the court regarding the facts of the case, any injuries, financial losses, or loss of earnings directly resulting from the crime for which the defendant is being sentenced (C.G.S. § 54-91c).

After commitment by the court to the jurisdiction of the Psychiatric Security Review Board, the board must make reasonable efforts to notify victims of any hearings, orders or escapes relating to the discharge, conditional release or confinement of a person found not guilty of criminal charges by reason of mental disease or defect (C.G.S. §17a-601).

Furthermore, information may be provided by:

- the clerk of the court or anyone charged with maintaining or controlling erased court records may notify a victim if a case has been dismissed, even if it means disclosing information in erased files (C.G.S. § 54-142c);

-
- a defendant applying for accelerated rehabilitation⁶ must notify the victim of the application and the victim must be given the opportunity to testify on whether it should be granted (C.G.S. § 54-56e); and
 - the prosecutor when an incompetent defendant fails to return from furlough in accordance with the terms and conditions of his release (By law, the prosecutor must make reasonable efforts within available resources to notify any victim of the crime for which the defendant is charged) (C.G.S. § 54-56d(1)).

In all but the last three situations, the term “victim” includes the victim’s legal representative or a member of the deceased victim’s immediate family.

Other agencies providing victim notification. The victim notification requirements placed on these agencies can be divided into two categories: pre-conviction and post-conviction. Currently, post-conviction notification is done primarily by OVS (as described above) and the Department of Correction (DOC), with the help of the Boards of Parole, Pardons, and Sentence Review and Modification. Similar to the OVS mandate, Connecticut law (C.G.S. § 18-81e) requires DOC to notify any crime victim submitting a request and providing a current address certain information regarding inmates.

Through the DOC notification program, a crime victim, the victim’s survivor, or other representative may register with the agency and request to be notified when an offender in the custody of DOC is:

- released from custody;
- transferred to community release;
- escapes from custody; or
- dies while incarcerated.

A registered victim may also ask to be notified when a criminal is scheduled for sentence review or modification, or is scheduled to appear before the Board of Parole or the Board of Pardons. These DOC services are provided through a subdivision of Offender Classification and Population Management located at the Walker Reception and Special Management Unit in Suffield.

In comparing the OVS and DOC post-conviction programs, the committee found many similarities in the services provided and in the populations served. Both maintain notification registries, although DOC has approximately 400 individuals registered, which is considerably less than the number of OVS registrants. Both OVS and DOC

⁶ Accelerated rehabilitation (AR) is an alternative pretrial program in which the defendant is under the supervision of the Office of Probation. Upon successful completion of AR, the charges are dismissed, and the records are erased.

believe most of their registrants are cross-registered, but each agency supports this as an added measure of ensuring victim notification.

Although there is a degree of duplication of services and information provided, certain differences exist. The major difference is the OVS notification program has a more sophisticated automation system while the DOC notification system is primarily manual. In addition, DOC, unlike OVS, does not have the direct link to other victim services. If DOC recognizes a victim requires or needs additional services, it refers the individual to OVS which may make an additional referral. It is also noteworthy that DOC has produced a written policy and procedures manual for its notification program while OVS has not.

The program review committee finds the duplication in registering victims is not an efficient or practical method of providing services. In addition, the program review committee concludes the existing technology and access to other services found in the OVS post-conviction notification system surpasses the DOC program.

DOC appears to have better access to information regarding individuals in their custody *prior* to conviction. However, such access is still problematic. For example, an offender may make bail before being processed in the correctional system and may be released prior to the victim being notified. This is a major concern and introduces issues that must be further explored by the various agencies involved in the pre-conviction process as well as those designated to provide notification.

To address these findings and concerns, and work toward a seamless system for victim notification, the committee recommends:

OVS assume statutory authority over all victim notification mandates by January 1, 2001.

OVS, in consultation with all agencies currently required to provide victim notification, shall develop a plan outlining any needed changes, resources, and/or necessary working agreements for implementing this mandate. The plan shall be available to the General Assembly no later than February 15, 2000.

Constitutional Amendment. In 1996, Connecticut amended its constitution affording victims' rights. Among the rights enumerated are the right to notification of court proceedings and the right to information about the arrest, conviction, sentence, imprisonment, and release of the accused. Given the broad scope of notification provided by this amendment, implementation of these rights will undoubtedly involve major logistical issues including automation, coordination, and timeliness of notices. The Connecticut Advisory Council for Victims of Crime considered the implementation of

these mechanisms to be of the highest priority and were in the process studying the issue when membership terms recently expired. OVS anticipates the next victim advisory council to further examine this issue.

Restraining, Protective and No Contact Order Registry. The Judicial branch, in cooperation with the Office of Policy and Management, recently obtained federal funding to study the feasibility of designing and operating an automated Restraining, Protective, and No Contact Order Registry. The registry will include all restraining, protective and standing criminal restraining orders and no contact orders issued by the courts. It will also include all no contact orders issued by the Bail Commission, courts, the Office of Adult Probation, and the Board of Parole. Registry information will be used by courts to issue, modify, and enforce orders and by law enforcement to act on orders. An automated registry is currently being designed with the expectation it will be operational in the year 2000.

Court-based Victim Advocates

Another type of support OVS offers to crime victims and their families is court-based victim advocates. These advocates provide a number services to victims and their families including informing them about their rights. A primary focus of advocates is to facilitate victim access to the criminal justice system and, whenever possible, incorporate victim participation in prosecution and court activities.

Advocates serve in various judicial district, geographical area, and juvenile courts in the state. Most are co-located in state's attorneys' offices. Currently, there are 20 court-based advocates covering the following court districts: Bridgeport, Danbury, Hartford, Litchfield, Meriden, Middletown, Milford, New Britain, New Haven, New London, Stamford, Tolland, Waterbury, and Windham. In addition, OVS has a victim advocate located at their central office in Wethersfield.

Advocates become aware of victims in a number of ways. Advocates can be assigned to a case by the court or asked by a prosecutor to offer services to certain victims. A social service agency or the police may make a referral to a victim advocate. A victim can self-refer or request services through OVS. Advocates also periodically review cases pending in the prosecutor's office and extend services to victims who have experienced extensive personal loss or offense.

For the most part, advocates provide victims and their families ongoing information and assistance. Court advocates help crime victims understand criminal justice system procedures and may accompany victims to various court proceedings. Services provided by the victim advocate may vary depending at what point they become involved in case.

Advocates may help victims prepare victim impact statements to the court, obtain information about a specific case, retrieve crime scene property, and request restitution. Advocates may also act as liaison for victims with prosecutors and other court and community based professionals.

The court-based victim advocates also provide counseling and refer victims to other resources when necessary. At times, advocates conduct informational and educational sessions and may represent OVS with local victim groups. Table IV-3 shows the number of new victims served by court-based advocates.

Table IV-3. Victims served by court-based advocates.	
<i>Year</i>	<i>Victims Served</i>
FY 92	2,579
FY 93	2,594
FY 94	2,487
FY 95	2,061
FY 96	1,594
FY 97	2,499
Source of Data: OVS	

Findings

The committee interviewed OVS court-based victim advocates and visited a number of courthouses to observe first-hand the advocates at work. From the interviews and visits, the committee identified a number of issues and concerns regarding court-based advocates. Among them: statewide coverage; job description; training; location; and administrative needs.

Statewide coverage. The victim advocate program began in 1986 as a mandate of Public Act 85-609. The program started with six advocates and experienced little growth until six additional advocates were hired during 1996 and 1997. In the first six months of 1998, eight more court-based advocates were hired. Despite more than tripling in size in the last two years, Connecticut's program is modest when compared to other states.

Table IV-4 shows the number of court-based advocates in relation to population for selected states. As the table illustrates, the number of residents per victim advocate is higher in Connecticut than in other East Coast states.

Table IV-4. Court-based Advocate Ratios in Selected States.	
New England State & Other East Coast States	Advocate per population
Vermont	1 per 42,857
Rhode Island	1 per 87,500
Maine	1 per 75,000
New Hampshire	1 per 64,705
Massachusetts	1 per 42,857
<i>Connecticut</i>	<i>1 per 143,478</i>
New Jersey	1 per 95,061
Delaware	1 per 144,000
Maryland	1 per 146,875
Virginia	1 per 51,666
Source of Data: OVS	

Connecticut has 48 courts dealing with criminal matters including: 13 judicial districts courts, 22 geographical area courts, and 13 juvenile courts. Twenty of these courts have OVS victim advocates assigned. A few advocates cover more than one court leaving about half of the courts without a victim advocate.

The availability of court-based advocates in every criminal court would be one way to ensure victims' rights are afforded equally. To provide minimal coverage statewide, the committee believes each court dealing with criminal matters should have access to at least one designated OVS victim advocate. Therefore, the committee recommends **OVS develop a plan to ensure equal access to court-based advocate services in all criminal courts.**

Job description. According to the statutory mandate, victim advocates have the following responsibilities and duties:

- provide initial screening of each personal injury case;
- prepare victim impact statements to be placed in court files;
- assist victims providing information needed for more effective processing of cases;
- provide information and advice to individual victims;
- direct victims to public and private agencies for service;
- coordinate victim applications to the Office of Victim Services; and
- assist victims in the processing of claims for restitution.

When advocates were asked during interviews to describe their responsibilities and duties, there was considerable variation in the responses. While all advocates clearly view their primary responsibility as advocacy for the victim, the list of duties varied.

In responding to this issue, OVS administrators noted advocates are given a broad description of their primary responsibilities. In addition, administrators noted advocates are encouraged to develop a working relationship with the prosecutor's office in their assigned courthouse. As a result, each victim advocate has a unique working agreement with the state's attorney's office or the courthouse in which they are located. OVS administrators indicated this flexibility is needed to accommodate the distinct character, environment, and personnel of each courthouse.

While acknowledging the need for flexibility in developing a working relationship, the committee believes, within the courthouse environment, specific duties and responsibilities must be well defined and accepted by all parties involved. However, interviews with court personnel found this was not always the case. Some prosecutors expressed a belief that the advocate's primary role is to help them adjudicate the case. While this may be a benefit provided by a victim advocate, it is clearly not the primary focus of the job, which by definition, should be advocating in the best interest of the victim.

The committee was also told by advocates and prosecutors that advocates, at times, must maintain a delicate balance between advocating for the victim yet not jeopardizing the prosecution's case. This may occur, for example, when the prosecution needs the victim's cooperation to continue a case. Under these circumstances, the committee believes it is important for the responsibilities and duties to be clearly outlined and understood by all parties involved.

Interviews with advocates also revealed they receive minimal supervision and must occasionally diffuse any problems they encounter on their own. This is, in part, due to the fact that until June 1998 there was only one supervisor overseeing the victim advocate program as well as fulfilling several other administrative duties. A second program supervisor has recently been added.

In the view of the committee, it should not be left to the individual advocate to establish or negotiate their role in each courthouse. Expectations of duties and responsibilities must be delineated so if problems or questions arise, or the balancing of duties is necessary, all parties will understand each others' position. To address this issue, the program review committee recommends:

OVS shall work with the Division of Criminal Justice to develop by January 1, 2000, written guidelines outlining the victim advocate's specific

responsibilities and duties in each courthouse. Such guidelines shall be reviewed at least once every five years beginning in 2005.

In addition, if the program is expected to expand, an adequate level of supervision must be maintained.

Training. When asked about training needs, most court-based advocates indicated OVS has, within the last year, improved considerably in the quality and types of training available. Until recently, training for court-based advocates consisted of on-the-job experience with trainees shadowing other advocates for a period of time.

OVS is now in the process of developing a training outline, and a training manual has been prepared. However, the committee found several advocates were placed in the field prior to formalized training being available. As result, each advocate had developed his or her own methods, form letters, and resources to provide victim services.

The committee believes OVS must ensure training is provided to advocates prior to being expected to perform their duties. In addition, victim services throughout the state should be uniform and tailored to meet the needs of the various types of crime victims. Therefore, the program review committee recommends:

OVS develop and implement a formalized training program for its court-based advocates. In addition, training manuals must ensure that information provided address the differences and distinctions among courthouses specifically juvenile courts.

Location. The issue of physical space has been a problematic aspect of the program's administration. Currently, most of the court-based advocates are located within the state's attorney office. However, as additional victim advocates are hired, finding office space within the courthouse has become more difficult.

In interviews with advocates and prosecutors, the committee was repeatedly told the advocate's physical proximity to the courthouse and case management is critical. Changes or developments in a case can occur at any time. It is the advocate's responsibility to ensure the victim's preferences and desires are known to the prosecution and the court. Advocates must maintain immediate contact with the state's attorney's office to keep abreast of the case's progress.

Although space within existing courthouses is limited, the committee believes it is preferable for OVS court-based advocates to be physically close to where legal decisions affecting the cases are made. Therefore, the program review committee recommends **OVS make every attempt to house the court-based advocates within the courthouse.**

Planning of administrative needs. Because of the program's rapid growth and limited courthouse office space, there have been times when court-based advocates were put in the field with less than adequate administrative resources. During the course of interviews and field visits, the committee found instances where advocates had to share office space, equipment, and telephones with little or no administrative support.

OVS has taken steps to ensure basic administrative needs are covered and continues to improve the advocates' working conditions. However, the committee believes these conditions existed in part because the large influx of new hires materialized before OVS had secured the administrative resources to handle them. Therefore, the program review committee recommends:

prior to any additional advocates being placed in the field, OVS must develop an administrative plan for the transition of court-based victim advocates into the criminal justice system.

Victim Assistance Center

In 1987, the legislature added collecting and disseminating information regarding victims' rights and services as part of OVS responsibilities. This mandate is implemented in a number of ways including a victims telephone hotline and information clearinghouse.

The clearinghouse serves as the central repository of information about rights and services available to victims. The hotline connects them to the appropriate referrals when needed. Table IV-5 demonstrates the number of persons served through this service. During fiscal year 97, OVS received 619 requests for information on the toll free line.

Table IV-5. Number Served through OVS Hotline	
<i>Year</i>	<i>Number Served</i>
FY 92	818
FY 93	393
FY 94	500
FY 95	712
FY 96	631
FY 97	619
Source of Data: OVS	

Information about available services includes, but is not limited to, victim advocates, sexual assault crisis services, domestic violence programs, the Crime Victim Compensation Program, outreach for families of homicide victims, victims of drunk driving, and child and elder abuse intervention. The clearinghouse also maintains information on other state and federal programs.

OVS hotline staff can assess the specific circumstances of the crime victim and work to develop a course of action, make referrals, and follow up as needed. The toll-free hotline operates Monday through Friday 8:30 a.m. to 4:30 p.m. After hours, an automated attendant is available and directs callers to emergency resources.

CONTRACTUAL VICTIM SERVICES AND ADMINISTRATIVE MATTERS

In addition to direct services, OVS also provides assistance to victims and their families through contracts with nonprofit and public organizations. The majority of these contracts are funded and regulated through the federal Victims of Crime Act (VOCA). However, one program, Homicide Outreach, uses state funds to provide contracted grief counseling sessions to families of homicide victims. This chapter examines the Homicide Outreach Program and OVS administration of federally funded grants.

Services for Families of Homicide Victims

Since 1987, the Office of Victim Services has recognized services to families of homicide victims as a specialized category. These services include counseling, educational groups, self-help groups, information, and referrals. This support is provided through a variety of outreach efforts.

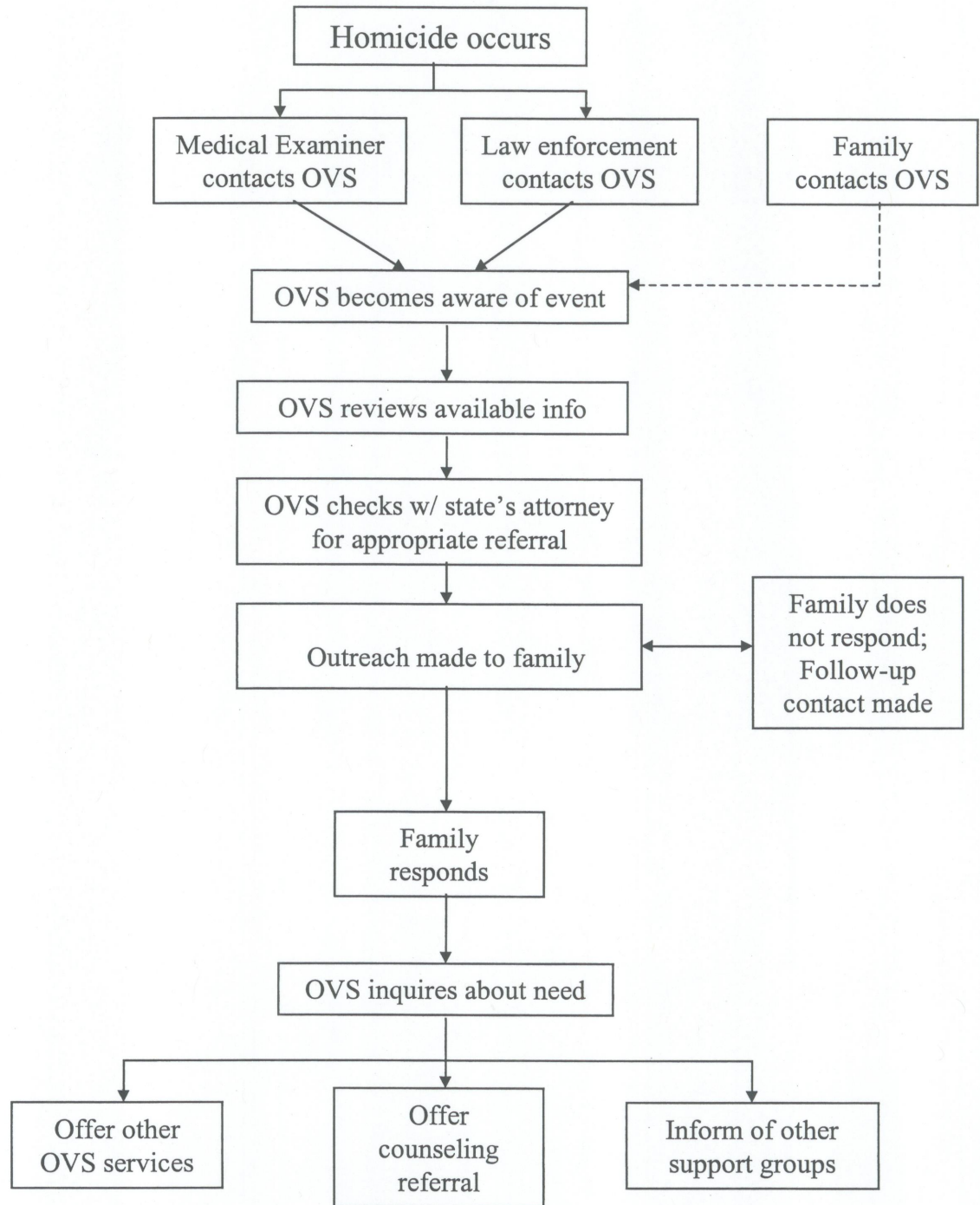
Outreach is made to families of all homicide victims. Figure V-1 outlines the homicide outreach process. OVS learns of homicide victims from the Office of the Chief Medical Examiner as well as from local police departments. According to agency staff, OVS generally becomes aware of homicides within 10 days of the incident. (Families of victims may also contact OVS at any time.)

Once aware of a homicide, OVS gathers information on the victim including the name, age, sex, race, date of murder, type of death, and funeral home the body was released in order to determine next of kin. In addition, OVS will also try to gather any newspaper articles or other information available from the police or other sources. Before it initiates contact with the victim's family, OVS consults with the State's Attorney Office to ensure contact is appropriate.

OVS then initiates first contact with the victim's family by letter, offering the agency's services including victim advocates who can provide emotional support as well as helpful information. If there is no response within a month, OVS tries contacting the family by phone. A final outreach attempt is made four to six weeks later by mail.

If the family decides to respond, an OVS supervisor assesses the family needs and informs them of the particular services available. OVS contracts with a network of health and social service agencies to provide crisis intervention and mental health treatment for these families. OVS may also refer families and friends of a homicide victim to a topic-specific educational support program, which supplements counseling. These groups are conducted by a statewide network of agencies.

Fig. V-1 Homicide Outreach



Families of homicide victims may also benefit from the various independent support groups around the state. Homicide survivor self-help groups are organized and conducted by group members themselves. These groups are specifically formed for families and friends to help each other cope with a loss due to murder.

In FY 97, OVS Homicide Outreach Program opened cases on 172 homicides. Table V-1 shows the number of new family survivors of homicides assisted since FY 92.

Table V-1. Number of Families of Homicide Victims Assisted	
<i>Year</i>	<i>Families Assisted</i>
FY 92	187
FY 93	205
FY 94	220
FY 95	205
FY 96	149
FY 97	172
Source of Data: OVS	

Outreach and referrals. Table V-2 shows the number of new cases opened and the percentage referred to counseling or to a victim advocate. The table shows the number of homicide cases opened has declined from a high of 221 cases in FY 94 to a low of 146 in FY 98. Although the number of new cases has fluctuated slightly over the time period shown, the percentage of cases referred to counseling has remained relatively stable at around 40 percent. The ratio of cases referred to a victim advocate has also remained stable at around 50 percent.

Table V-2. Homicide Outreach: New Cases & Referrals FY94-98.				
Year	New Cases	Refer to Counseling	Refer to Victim Advocate	Other*
FY98	146	60 (41%)	71 (49%)	15 (10%)
FY97	173	68 (39%)	80 (46%)	25 (15%)
FY96	149	57 (38%)	72 (48%)	20 (13%)
FY95	204	84 (41%)	99 (48%)	21 (10%)
FY94	221	96 (43%)	124 (56%)	1 (0%)
* Includes cases where outreach conducted, information provided, but referral not made at that time.				
Source of Data: OVS				

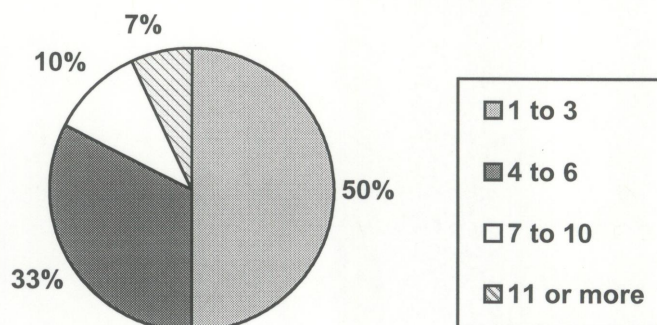
Grief counseling sessions. Family members of homicide victims may receive up to 10 free hours of grief counseling. OVS contracts with a network of health and social service agencies to provide crisis intervention and mental health treatment for these families. The number of available sessions per family has ranged from six sessions when the program was first started to 12 sessions last year. Recently, the number of allowable sessions was dropped to 10.

When asked how changes in the number of sessions allowed were determined, OVS staff stated the initial increase was made after discussions with support groups for homicide survivors suggested an increase was needed. It was their belief that families may want to reserve some counseling sessions for a later date -- for example when a court date or inmate status change occurs. The recent decrease in allowable sessions occurred after OVS reviewed preliminary data and concluded families rarely exceed the maximum number of sessions offered and the drop to ten sessions per family was made.

The committee also reviewed the number of counseling sessions used per family and time frames in which they were used for cases opened since 1995. The results of this review are presented below.

The committee found that since 1995 there have been approximately 184 families receiving grief counseling through the Homicide Outreach Program. During the time frame examined, the number of sessions used range from one to 15 sessions despite the maximum being set at 12 sessions. As shown in Figure V-2, the committee found 50 percent of the families using one to three sessions and another 33 percent using four to six sessions. Thus, 83 percent of the families use six or fewer sessions.

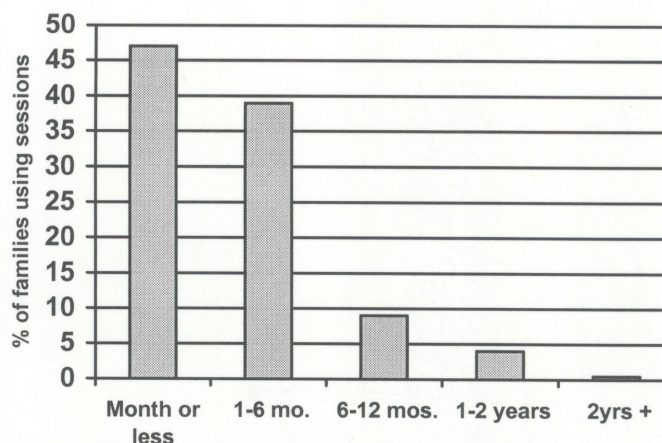
Fig. V-2. Grief Counseling Sessions Used Per Family (N=184)



Source of Data: LPR&IC staff analysis

Analysis of when families tend to use counseling is presented in Figure V-3 which shows 47 percent of families use their sessions within a month or less of being referred. Thirty-nine percent used their grief counseling sessions between one to six months. Usage appears to drop off significantly after six months. Combining data on the number of sessions used and the time frame with which they were held reveals more than a quarter (27 percent) of the families received three to six sessions within the first six months.

Fig. V-3. Time Frames for Counseling Sessions Used



Source of Data: LPR&IC staff analysis

Monitoring. Once a referral has been made to a subcontractor, OVS involvement in the case is minimal. The subcontractor maintains all session reports and counseling notes. OVS does not know whether a client accepted the referral until the subcontractor requests payment for services rendered or seeks an extension of counseling sessions beyond the maximum allowed.

Monitoring the use of these sessions for each family has only recently been instituted. Statistics collected for this program are elementary and have not been analyzed in any meaningful way. Thus, actual client use and satisfaction information based on the collection and analysis of hard data is not known.

Findings. Committee analysis suggests families rarely use more than a small portion of the counseling sessions available to them. However, in the absence of client satisfaction data, it is unclear whether the current number of counseling sessions offered is adequate or whether the relatively low use of sessions relates to the quality of service or the family's desire to reserve sessions for a future date. In addition, written policy and procedures have not been adopted for this program. *Thus, the committee concludes the number of counseling sessions offered is arbitrary and administrative monitoring of the program has been inadequate.*

OVS recognizes this problem and is working with its subcontractors to design and implement a client satisfaction instrument. The committee believes this is a good first step in monitoring program use and effectiveness. To reinforce this effort and to ensure it stays on track, the committee recommends:

OVS develop written policy and procedures for the Homicide Outreach Program.

Subcontractors providing grief counseling for the Homicide Outreach Program should be required to compile client use data as a condition of their service contract. At a minimum, data collected should include: the number and percentage of families accepting services; the number of sessions used per family; and time frames within which the sessions are used.

In addition, OVS should institute a follow-up evaluation process for clients to provide feedback on services they receive.

Victim Assistance Programs and Service Contracts

Another way OVS provides assistance and services to victims is through contracts with nonprofit and public organizations for direct services to crime victims. Among the contracted agencies are child guidance clinics, Connecticut Coalition Against Domestic Violence, Connecticut Sexual Assault Crisis Services, Mothers Against Drunk Driving, and Survivors of Homicide.

Funding for these contracted services, as mentioned earlier, primarily comes from the federal Victims of Crime Act -Victim Assistance (VOCA -VA) generated from federal fines and fees collected through the federal courts. Table V-3 shows the federal VOCA victim assistance awards recently received by OVS. As the table shows, there has been a significant increase of

available funds since FY 96. However, the federal Office of Victim Crime, which distributes the VOCA funds, has indicated to states that continued funding at this level is not guaranteed. Therefore, states have been encouraged to develop multi-year spending plans for these funds.

Table V-3. Federal VOCA Victim Assistance Awards	
FFY	AMOUNT
1995-96	\$1,058,000
1996-97	\$1,677,000
1997-98	\$5,040,000 (can be spent through 9/30/00)
1998-99	\$3,521,000 (can be spent through 9/30/01)
Source of Data: OVS	

As the table shows, the 1997 award for Connecticut was \$5,040,000. The 1998 award is \$3,521,000. OVS has developed a three-year plan to use the funds. This plan was designed to stabilize programs and provide continuity in the current service delivery.

Allocation of the federal funds is prescribed by federal regulation. OVS may retain 5 percent for administrative costs and 1 percent for training. Ten percent of the funding is allowed for the hiring of advocates. The remainder of those funds (84%) must be used to contract with other service providers.

In addition to the federal monies, the Connecticut General Assembly appropriated \$400,000 per year of this biennium from the Criminal Injuries Compensation Fund to serve as a match for the federal funds and to augment programs. The combination of state and federal funds has helped maintain and enhance several programs as well as start up a number of new ones.

Grant Administration

As noted previously, OVS is the primary grant administrator of federal Victims of Crime Act funds. Allocation of the funds is prescribed by federal regulation. The committee distributed a questionnaire to all 18 contracted service providers who receive VOCA funding through OVS. The purpose of the survey was to gather information on contracted providers' satisfaction, needs, and experiences with OVS. In particular, the questionnaire asked for opinions concerning program administration, information exchange, frequency of referrals, and general responsiveness of OVS.

Summary of survey results. Of the 18 organizations receiving funding, 14 returned completed questionnaires. The responses to the survey are detailed in Appendix F.

In terms of the interrelationship between OVS and its contracted service providers, the survey responses show:

- 79 percent of the contracted providers believe they are given the information they need to understand contract requirements and provisions;

-
- 86 percent of the providers stated OVS staff provides feedback for improving service delivery;
 - 86 percent believe OVS makes effective use of contracted service providers in meeting the needs of crime victims; and
 - 86 percent would feel comfortable making referrals to other OVS programs such as the Victim Compensation Program.

However, responses were not as positive regarding OVS communications. Only about 60 percent indicated satisfaction with OVS providing up-to-date information such as changes in legislation related to serving crime victims.

Referrals. Survey responses also suggested some dissatisfaction with respect to referrals. Only slightly more than 40 percent of the contracted providers indicated that “*OVS makes referrals to this agency when appropriate.*” In interviews, the committee found this concern was frequently mentioned in connection with court-based advocates.

Court-based advocates may refer their clients to specialized contractual services whenever necessary. However, as mentioned earlier, the lack of formalized training has resulted in advocates developing their own methods for providing services and referrals.

Therefore, the committee recommends:

OVS develop standardized policy and procedures relating to the referral process to specialized contractual services. In addition, each court-based advocate should be provided a resource guide of specialized victim services available in their region.

Some of the dissatisfaction expressed by contracted providers is rooted in their belief OVS should supply providers with names of victims so the providers can conduct outreach and offer services directly. However, it is OVS policy to inform victims of the resources available rather than persuade or solicit victims to seek assistance with other agencies. OVS believes this practice protects the victims’ confidentiality. *The program review committee supports the OVS position on victims’ choice for confidentiality.*

Training and public awareness. Through its interviews with various groups involved with victim services, the committee found some confusion exists regarding contractors and the court-based advocates. Several groups indicated to the committee that the services provided by each were interchangeable. The committee believes the lack of a clear job description for court-based advocates, as discussed previously, further blurs the distinction between the two types of services.

Court-based victim advocates are “generalist” in nature -- meaning they assist all victims regardless of the type of crime involved. Their focus is on providing information and facilitating access to the criminal justice system as the victim goes through the legal and court experience.

This is different than the “specialized” advocacy done by contractual providers, who provide counseling and support to victims of specific types of crime such as domestic violence, sexual assault, and drunk driving.

Training and public education/awareness regarding the services each type of advocate provides is a critical part of ensuring victims throughout the state receive uniform and comprehensive services. As such, the committee recommends:

OVS develop strategies to increase public education regarding available victim services. In particular, an explanation of the role and responsibilities of the court-based advocates should be incorporated into the mandated training provided to courthouse personnel including but not limited to prosecutors and judges.

Nonprofit status requirement. State law requires agencies entering into contract agreements with OVS to have a nonprofit status in order to qualify for the contract. OVS supports this provision as it applies to direct victim services. However, the provision limits OVS’ ability to contract for indirect services such as training, public awareness and education, and technical support.

One example illustrating this problem concerns certified translation services. Currently, OVS services are advertised or promoted in English and Spanish. However, OVS reports obtaining certified translation services in Vietnamese, Laotian, or other Asian languages from nonprofit organizations has been problematic.

Another example where the non-profit restriction is limiting is in fulfilling training requirements. OVS is currently mandated to provide training for law enforcement personnel. However, accredited law enforcement training is often available only through for-profit agencies.

One solution has been for OVS to contract with a nonprofit agency, which would then subcontract with a for-profit organization. However, this increases the cost of services and unnecessarily complicates contract administration. The committee believes this solution is inefficient. Therefore, the program review committee recommends:

the statutory provision limiting OVS contracts to nonprofit organizations be amended to allow OVS more flexibility in contracting.

Performance Standards and Measures

Throughout this study, the lack of written policies and procedures was repeatedly noted in various aspects of OVS operations. As such, the committee has made several recommendations to address this problem. In addition to written standards, the committee believes adequate performance monitoring is also necessary.

Currently, OVS compiles little meaningful data relating to its overall performance. As mentioned throughout this report, OVS collects only basic outputs such as the number of claims

received, the number of individuals registered, or the number of families accepting referrals. However, no complete performance information is available, for example, regarding overall case flow timeliness.

Once the standards are established, OVS must ensure data are collected to monitor the agency's performance. The committee recognizes the current status of the information system, especially in the Victim Compensation Program, undercuts the agency's ability to compile useful information. OVS is currently in the process of updating its program automation, and the committee believes this presents an opportunity for the agency to develop performance standards and incorporate them into their data collection. Therefore, the committee recommends:

OVS shall develop a set of performance standards to be used in evaluating the agency's overall performance as well as all key components and phases of each program's administration. At a minimum those standards shall address:

- **specific time frames for claims processing, claims hearings, and payment of awards;**
- **projected amount of recoverable compensation funds;**
- **timeliness of victim notification;**
- **promoting equal access to court-based advocacy in court districts;**
- **ensuring statewide use of programs; and**
- **assessing victim satisfaction with services.**

The standards must be established by January 1, 2000, and measured on an annual basis. A report detailing the outcomes of the performance measures shall be submitted to the chief court administrator.

Chapter VI

VICTIM COMPENSATION PROGRAMS IN OTHER STATES

There are many characteristics of state victim services programs common to all states. However, each program has been created and governed under individual state laws. As a result, the programs may, on certain issues, vary somewhat from state to state. This chapter summarizes characteristics common among most state programs and, when applicable, distinguishes those that may have additional requirements and/or offer special benefits.

Constitutional Amendments

Every state has enacted laws that provide basic rights to crime victims. Over half (29) of the states have amended their constitutions to further protect the rights of crime victims. While these rights vary across the nation, most victims have the right to:

- information about his/her case as it progresses through the justice system;
- notification of many different types of justice proceedings;
- participate in court proceedings related to the offense;
- be reasonably protected from the accused offender;
- information about the conviction, sentencing, imprisonment, and release of the offender; and
- receive restitution from the offender.

Table VI-1 below lists each of these states and the year the constitutional amendment was passed.

Table VI-1. State Victims' Rights Constitutional Amendments	
Year	State
1982	California
1986	Rhode Island
1988	Florida
1989	Texas, Washington
1990	Arizona
1991	New Jersey
1992	Colorado, Illinois, Kansas, Michigan, Missouri, New Mexico
1993	Wisconsin
1994	Alabama, Alaska, Idaho, Maryland, Ohio, Utah
1996	Connecticut, Indiana, Nebraska, Nevada, North Carolina, Oklahoma, Oregon, South Carolina, Virginia
Source of Data: Office of Victims of Crime	

State Victim Compensation Programs

All 50 states have established victim compensation programs to help pay for some of the expenses resulting from crimes involving violence or abuse. Most programs have similar eligibility requirements and offer a comparable range of benefits. Those who qualify for this assistance include a crime victim who has been physically injured such as victims of assault, rape, domestic violence, child abuse, and drunk driving. Families of murdered victims also may be eligible for financial help.

In general, these programs reimburse victims for crime-related expenses such as: medical costs, mental health counseling, funeral and burial costs, and lost wages or loss of economic support. Property loss, theft, and damage are usually not covered unless it pertains to eyeglasses, hearing aids, or other medically necessary devices. Expenses paid for by another source, such as any type of public or private health insurance, automobile insurance, disability insurance, or workers compensation are not covered. Except in a very few states, compensation for pain and suffering is not available.

Costs related directly to the crime can be reimbursed up to the maximum level in each state, which generally range from \$10,000 to \$25,000. However, there may be limits on some types of benefits, such as mental health counseling or funeral costs.

In general, victims must comply with the following program requirements to receive compensation:

- report the crime promptly to law enforcement with most states having a 72-hour reporting requirement;
- cooperate in the investigation and prosecution of the crime; though, apprehension or conviction of the offender is not necessary to receive an award;
- not be involved in any criminal activity or misconduct leading to their injury or death; and
- submit a timely application and provide any information requested.

Most states require the application be filed within one year from the date of the crime, but a few states have shorter or longer periods. Once the application is received, the agency will review the application to determine eligibility and to decide what costs can be paid.

The National Association of Crime Victim Compensation Boards estimates approximately \$250 million is paid annually to more than 125,000 victims nationwide. California, the nation's largest program, pays nearly one-third of all compensation

benefits nationwide (approximately \$75-80 million annually). The only other state approaching to California is Texas at approximately \$20-30 million each year. NACVCB reports the median annual payout per state is about \$2 million.

The size of state compensation programs is relatively small for state agencies. Ten states operate with three or fewer people. Thirty-four states employ fewer than 15 people while seven states have more than 20 employees. California is the largest compensation agency with over 250 employees.

Compensation programs, with the exception of Arizona and Colorado, are administered in central state offices. According to the NACVCB, the largest number of compensation programs are affiliated with criminal justice related executive branch agencies. Five states operate their programs within the court systems. Others are located within the Office of Attorney General and independent state agencies. Four programs are part of workers' compensation bureaus while still other programs are affiliated with correction departments, social service agencies, and finance and management departments.

The table featured on the following page outlines some of the program characteristics discussed above. California was selected because it was the first compensation program established and provides a regional comparison. The other states were chosen for either their proximity to Connecticut (Rhode Island, New York, Massachusetts, New Jersey) or as a comparison with other geographical regions (Florida, Texas, Minnesota).

APPENDIX A
Agency Response

Table VI-2. Other States' Compensation Programs									
	CT	NY	RI	MA	NJ	FL	MN	TX	CA
<i>Established Branch</i>	1979 Judicial	1967 Executive	1996 ¹ Judicial	1968 AG Office	1971 Public Safety	1978 AG Office	1974 Public Safety	1980 AG Office	1965 Board of Control
<i>Reporting Requirement*</i>	5 days	7 days	10 days	5 days	90 days	72 hours	30 days	no set time	"reasonable"
<i>Filing Deadline*</i>	2 years	1 year	1 year	3 years	2 years	1 year	2 years	3 years	1 year
<i>Maximum Payment</i>	\$15,000; \$25,000 for homicide	no medical limits; limits on other expenses	\$25,000	\$25,000	\$25,000	\$15,000	\$50,000	\$50,000; \$100,000 when injuries are permanent and total	\$46,000
<i>Compensable Items (with limits - ✓ w/L)</i>									
<i>Medical</i>	✓	✓	✓	✓	✓	✓ w/L	✓ w/L	✓	✓ w/L
<i>Mental Health Counseling</i>	✓	✓ w/L	✓	✓	✓ w/L	✓ w/L	✓	✓	✓ w/L
<i>Lost Wages/Support</i>	✓	✓ w/L	✓	✓	✓ w/L	✓ w/L	✓	✓	✓ w/L
<i>Funerals</i>	\$4,000	\$6,000	\$5,000	\$4,000	\$3,000	\$2,500	\$5,000	\$4,500	\$5,000
<i>Moving Expenses</i>		if medically			✓				
<i>Emergency</i>	\$1,000	\$1,500			\$1,500	\$500	\$1,500		
<i>Travel for Treatment</i>		✓		✓	✓	✓	✓		
<i>Crime Scene Cleanup</i>									
<i>Stolen Cash</i>		\$100 for property loss including cash & security devices			up to \$200 for disabled & seniors below poverty				
<i>Pain & Suffering</i>			✓						
1 Initially established in 1972 in court system but revamped in 1996 to application process.									
*In general, most states can waive these reporting and filing requirements for "good cause".									
Source of Data: National Association of Crime Victim Compensation Board									



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
ROBERT C. LEUBA, JUDGE
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
DRAWER N. STATION A
HARTFORD, CT 06106

February 1, 1999

Mr. Michael L. Nauer, Director
Legislative Program Review and
Investigations Committee
State Capitol Room 506
Hartford, CT 06106

Dear Mr. Nauer:

Thank you for providing me with a copy of the Legislative Program Review and Investigations Committee's draft final report on the Office of Victim Services. We appreciate all the time and effort that your staff put into the study, and also the opportunity given to us to comment on the findings and recommendations.

The Judicial Branch agrees with many of the recommendations of this report. In fact, the Branch, through the Office of Victim Services had, prior to the issuance of the draft report, done the following:

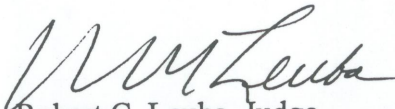
- acknowledged the need to improve the system for projecting recoverable funds from all potential sources and begun to develop this new system;
- drafted procedures for the victim notification program;
- requested funding to provide at least one court-based victim advocate in each JD and GA court;
- begun to develop a formalized training program for court based advocates; and
- requested that the statutory provision limiting OVS contracts to non-profit organizations be amended to allow OVS more flexibility in contracting.

The following are the Judicial Branch's comments on specific recommendations:

1. Recommendation 7 suggests that OVS assume statutory authority over all victim notification mandates by January 1, 2001. It is unclear whether this recommendation includes notice of court proceedings, or whether it refers solely to the post-conviction release information. We would recommend that notification of court proceedings continue to be the responsibility of the state's attorney's office pursuant to section 51-286e and section 54-91c. The state's attorneys are the only government entity within the criminal justice system who are aware of all court proceedings, including plea bargains.
2. Recommendation 10 states that the Judicial Branch should work with the Division of Criminal Justice to develop guidelines outlining the victim advocate's specific responsibilities and duties in each courthouse. As Judicial Branch employees, the job descriptions and specific responsibilities of victim advocates should be developed and adopted by the Judicial Branch.
3. Recommendation 15 states that each court-based advocate should be provided a resource guide of specialized victim services available in their region. We agree and, in fact, currently provide advocates with three brochures listing the varied programs available within each region of the state.

Thank you again for the opportunity to provide comments on this report. If the Judicial Branch can provide you with any additional information, please do not hesitate to contact me.

Very truly yours,


Robert C. Leuba, Judge
Chief Court Administrator

RCL:djw

APPENDIX B
Crime Victims' Statutory Rights

(This summary was prepared by Judge Support Services. The individual listings may be subject to certain additional information set forth in the General Statutes as of 12/15/97)

1. **Right to Notification Re:**

**** Assistance at crime scene and notification re: rights and services.** A peace officer at a crime scene shall render immediate assistance to any victim, including obtaining medical assistance if required. The peace officer shall also present any victim with a card informing the victim of the rights and services available to the victim. (C.G.S. 54-222a)

****Notification to Victim of Judicial proceedings.** The state's attorney shall notify any victim of an offense, if the victim has requested notification and has provided a current address, of any judicial proceedings relating to the cases including:

- Arrest** of the defendant
- Arraignment** of the defendant
- Release** of defendant pending judicial proceedings
- Other proceedings** in the prosecution including:
 - Entry of plea of guilty**
 - Trial**
 - Sentencing**

(C.G.S. 51-286e)

**** Notification of Arraignment to Deceased Victim's Family.** In cases of an offense which results in the death of the victim, the state's attorney shall identify and notify a member of the immediate family or next of kin of the date, time and place of the arraignment and shall furnish the designated family member with the name and telephone number of the person to contact for additional information or information on the status of the case. (C.G.S. 51-286d)

****Notice of Application for Accelerated Pretrial Rehabilitation and Opportunity to be Heard.** A defendant who makes application for participation in an accelerated pretrial rehabilitation program must provide notice to the victim or victims of the crime or motor vehicle violation, by registered or certified mail. The victim or victims have an opportunity to be heard on the application. (C.G.S. 54-56e)

**** Motion for or Order of Suspension of Prosecution for Treatment of Alcohol or Drug Dependency.** In order to have a prosecution suspended for the treatment of alcohol or drug dependency, the accused must give notice of the crime and the motion for suspension of prosecution to the victim by registered or certified mail. The victim has the right to be provided the opportunity to testify at the hearing on the motion. (C.G.S. 17a-696)

**** Request by a Defendant for Assignment to the Family Violence Education Program.** The court shall give notice to the victim or victims that the defendant has requested assignment to the family violence education program and where possible, give the victim or victims opportunity to be heard. (C.G.S. 46b-38c(g))

**** Court and Psychiatric Security Review Board decisions.** After commitment by the court to the jurisdiction of the Psychiatric Security Review Board, the board shall make reasonable efforts to notify victims of any hearings, orders or escapes relating to the discharge, conditional release or confinement of a person found not guilty of criminal charges by reason of mental disease or defect. The Victim may appear to make a statement at any court or board hearing. (C.G.S. 17a-581, 17a-596, 17a-601)

**** Notification by Office of Victim Services of Status of Inmate.** A crime victim may request notification whenever an inmate makes any application to the:

- **Board of Pardons**
- **Board of Parole**
- **Department of Corrections** for the release other than furlough
- **Sentencing court or judge** for sentence reduction, or
- **Sentence Review Division**

The victim may also request notification whenever an inmate is **scheduled to be released** from a correctional institution for other than a furlough. The Office of Victim Services shall notify the victim of any of the above upon request, if the victim has provided a current mailing address. (C.G.S. 54-228, 230)

**** Board of Pardons: Testimony of crime victim at session of board.** **Notification of Office of Victim Services of Board's action.** The Board shall permit any victim of specified crimes to appear before the Board for the purpose of making a statement for the record concerning whether the convicted person should be granted a commutation, release or pardon. The victim may choose to submit a written statement to the Board in lieu of a personal appearance.

The Board of Pardons shall notify the Office of Victim Services upon the granting of a conditioned or absolute commutation of punishment or released, of a conditional or absolute commutation from the penalty of death, or of a pardon. (C.G.S. 18-27a)

**** Release of Inmate from Correctional Institution.** Upon release of an inmate from a Correctional Institute, the Commissioner of Corrections or designee shall notify any victim of the crime of such person's release if the victim has requested notification and provided a current address. (C.G.S. 18-81e)

**** Notice of Dismissal of Case.** Within one year from the date of disposition of any case, the fact that the case was dismissed MAY be disclosed to the victim of a crime or his legal representative. The identify of the defendant(s) shall not be released, except that any information contained in the erased records, including the identity of the person charged may be released to the victim or representative upon written application by the victim or representative stating:

- that a civil action has been commenced for loss or damage resulting from such act, or
- the intent to bring a civil action for such loss or damage

(C.G.S. 54-142c)

**** Notification of Failure of Defendant to Return to Treatment Facility.** The prosecuting authority shall, within available resources, make reasonable effort to notify any victim or victims of the failure of a defendant, placed for treatment on an inpatient basis at a mental health or mental retardation facility, to return to the facility after release from the facility on a furlough or for work, therapy or any other reason. (C.G.S. 54-56d(1))

2. **Attendance at Court Proceedings and Victim Testimony/Input**

**** Victim's Input as Part of pre-Sentence Investigation by Probation Office in a Criminal Matter.** Whenever a pre-sentence investigation is required, the probation officer shall inquire into, among other things the attitude of the complainant or victim or of the immediate family where possible in cases of homicide, and the damages suffered by the victim, including medical expenses, loss of earnings and property loss. (C.G.S. 54-91a)

**** Testimony of Crime Victim Prior to Acceptance of Plea and at Sentencing Hearing.** The court shall permit the victim of most serious felonies to make an oral statement to the court or to submit a written statement explaining the effects of the crime prior to the **sentencing** of the defendant or the acceptance by the court of a **plea of guilty** or a **plea of nolo contendere** made pursuant to a plea agreement. The victim's statement shall relate solely to the facts of the case and the extent of any injuries, financial loss and loss of earnings directly resulting from the crime.

The victim also has the right to notification of the date, time and place of the original sentencing hearing or any proceeding concerning acceptance of a plea agreement. (C.G.S. 54-91c)

**** Right to Attend Hearing to Make Statement on Reduction of Sentence or Discharge by Judge.** At a hearing held by the sentencing court or judge, the court or judge shall permit any victim of the crime to appear before the court or judge for the purpose of making a statement for the record concerning whether or not the sentence should be reduced, the defendant discharged or the defendant

discharged on probation or conditional discharge. In lieu of such appearance, the victim may submit a written statement to the court. (C.G.S. 53a-39)

**** Request by Victim for Hearing by Panel of Parole Board Considering Release After Administrative Review.** A parole hearing shall be conducted by a panel of the Board of Parole if a victim requests such a hearing. (C.G.S. 54-125b)

**** Testimony of Crime Victim at Parole Hearing.** At a hearing held by a panel of the Board of Parole for determining the eligibility of an inmate incarcerated for the commission of a class A, B or C felony or for a violation of certain Class D felonies, such panel shall permit any victim of the crime to appear before the panel to make a statement for the record concerning the release on parole of any terms or conditions to be imposed upon any such release. The victim may submit a written statement to the panel in lieu of an appearance. (C.G.S. 54-126a)

**** Representative of Homicide Victim Entitled to be Present at Trial of Defendant.** A representative of a homicide victim shall be entitled to be present at the trial or any proceeding concerning the prosecution of the defendant for the homicide, except that a judge may remove such representative from the trial or proceeding or any portion thereof for the same causes and in the same manner as the rules of court provisions and of the general statutes provide for the exclusion or removal of the defendant. No representative may be excluded without a hearing. (C.G.S. 54-85c)

**** Right to Attend Delinquency Proceedings.** In delinquency proceedings, any victim of the delinquent act, the parents or guardian of such victim and any appointed victim advocate shall not be excluded unless the judge specifically orders otherwise. (C.G.S. 46b-122)

**** Victim's Input as Part of Pre-disposition Investigation by Probation Officer in a Delinquency Matter.** Prior to the disposition of the case of any child convicted of a delinquent act, the probation officer shall conduct an investigation which shall include, inter alia, an inquiry into the attitude of the complainant or victim and any damages suffered by the victim including medical expenses, loss of earnings and property loss. No disposition of the child's case shall be made until such investigation has been completed and the results have been placed before the judge. (C.G.S. 46b-134)

**** Statement of Victim/Victim's Representative at Delinquency Proceeding.** Any victim of alleged delinquent conduct, the parents or guardian of such victim, an appointed advocate, or the victim's counsel shall have the right to appear before the court in any proceeding on the alleged delinquency of a child for the purpose of making a statement to the court concerning the disposition of the case. (C.G.S. 46b-138b)

**** Testimony of Victim of Child Abuse.** The court MAY, upon motion, order that the testimony of a child victim of an assault, sexual assault or abuse, who is twelve years old or younger, be taken in a room other than the courtroom in the presence and under the supervision of the trial judge hearing the matter and be televised by closed circuit equipment in the courtroom or be recorded for later showing before the court. The people present during the testimony may be limited by the court. (C.G.S. 54-86g)

**** Competency of Child as Witness.** Any child victim of assault, sexual assault or abuse shall be competent to testify without prior qualification. (C.G.S. 54-86h)

**** Polygraph Examination of victims of sexual assault restricted.** No member of any municipal police department, the state police or the Division of Criminal Justice may request or require any victim of sexual assault under C.G.S. 53a-70, 70a, 70b, 71, 72a, 72b, 73a to submit to or take a polygraph examination. (C.G.S. 54-86j)

3. **Restitution/Compensation**

**** Victim Compensation.** Upon application to the Office of Victim Services, the victim of a crime may receive compensation for expenses actually and reasonable incurred, loss of earning power, and pecuniary loss to the dependents of a deceased victim. (C.G.S. 54-209 –211)

**** Restitution Services.** The following persons also may obtain restitution services including medical, psychiatric, psychological or social services:

- victims of child abuse and family members
- victims of sexual assault and family members
- family members of a victim of homicide

(C.G.S. 54-216)

**** Disposition Upon Conviction as Delinquent/Restitution.** Upon conviction of a child as delinquent, the court MAY order the child or the parent(s) or guardian of the child, or both to make restitution to the victim of the offense. If the child has engaged in conduct which results in property damage or personal injury, the court MAY order the child or the parent(s) or guardian of the child, if such parent/guardian had knowledge of and condoned the conduct of the child, or both the child and the parent(s) guardian to make full or partial restitution. (C.G.S. 46b-140)

****Right to Profits Derived from Crime of Violence.** A crime victim has the right to file a civil law suit seeking the profits the defendant might receive from any publication, movie, broadcast or dramatization of the violent crime if the defendant is convicted of the crime for which compensation may be paid by the Office of Victim Services. (C.G.S. 54-218)

**** Return of Seized Property.** A crime victim may request the police department to return any personal property confiscated by them in the investigation or prosecution of the crime committed against the victim. The property will be returned within 30 days of the request unless the court orders it held for a longer period. The victim has six months from the disposition of the criminal case to claim the property. After that, the property will be disposed of. (C.G.S. 54-36a, 54-203(b)(7)(E))

4. **Access to Confidential Records/Test Results**

**** Privileged Communications Between Psychiatrist/Psychologist and Patient for Use in Civil Action.** The consent of a patient who consults with a psychiatrist or a psychologist is not required for the disclosure or transmission of communications or records of the patient to a member of the immediate family or legal representative of the victim of a homicide committed by the patient where such patient has been found not guilty of the offense by reason of mental disease or defect. These communications shall only be available during the pendency of, and for use in, a civil action relating to the person found not guilty. The family member or legal representative must request the disclosure not later than six years after such finding of not guilty. (C.G.S. 52-146c, 52-146f)

**** Delinquency Records.** The record of the case of a juvenile matter involving proceedings concerning a delinquent child, shall be available to the victim of the crime committed by such child to the same extent as the record of the case of a defendant in a criminal proceeding in the regular criminal docket of the Superior court is available to a victim of the crime committed by such defendant. The court shall designate an official from whom such victim may request such information. Records disclosed pursuant to this subsection shall not be further disclosed. (C.G.S. 46b-124(e))

**** Youthful Offender Records.** The records of any youth adjudged a youthful offender may be disclosed to an advocate appointed pursuant to section 54-221 for a victim of a crime committed by the youth. The records disclosed pursuant to this subsection shall not be further disclosed. (C.G.S. 54-761)

**** Disclosure of Address and Telephone Number by Victim of Sexual Assault Not Required.** Any person who has been the victim of a sexual assault, injury or risk of injury, or impairing of morals, or of any attempt thereof, shall not be required to divulge his or her address or telephone number during any trial or pretrial evidentiary hearing, provided the judge presiding over the legal proceeding shall find: the information is not material to the proceeding, the identity of the victim has been satisfactorily established, AND the current address of the victim will be made available to the defense in the same manner and time as such information is made available to the defense for other criminal offenses. (C.G.S. 54-86d)

**** Confidentiality of Name and Address of Victim of Sexual Assault. Availability of Information to Accused.** The name and address of the victim of a sexual assault, injury or risk of injury, or impairing of morals, or of any attempt thereof, shall be confidential and shall only be disclosed upon order of the Court. This information will be available to the accused in the same manner and time as such information is available to persons accused of other criminal offense. (C.G.S. 54-86e)

**** Confidentiality of Statements Made to Sexual Assault Counselor or Battered Women's Counselor.** Any statements made to a sexual assault or battered women's counselor (as defined by statute) will remain confidential and will not be admitted as evidence in court unless the victim making the statement waives this right. (C.G.S. 52-146k)

**** Admissibility of Evidence of Present or Prior Sexual Conduct of Victim.** In the prosecution of a sexual assault case, the present or prior sexual conduct of the victim will not be brought into evidence in the trial unless the Court determines, after a hearing, that the material is relevant and material to the criminal trial. (C.G.S. 54-86f)

**** HIV Testing of Defendant Accused of Certain Sexual Offenses.** If the victim of a specified sexual offense requests that the accused be tested, the court MAY order the testing of the accused for the presence of the etiologic agent for Acquired Immune Deficiency syndrome or Human Immunodeficiency Virus. The results of such test MAY be disclosed to the victim. Statutory prohibitions and limitations relating to the further disclosure of such test result apply. (C.G.S. 54-102a)

**** HIV Testing of Persons Convicted of Certain Sexual Offenses.** A court entering judgment of conviction or an adjudication of delinquency for commission of certain sexual offenses SHALL, at the request of the victim of such crime, order that the offender be tested for the presence of the etiologic agent for acquired immune deficiency syndrome or human immunodeficiency virus and that the results be disclosed to the victim and the offender. Statutory prohibitions and limitations relating to the further disclosure of such test results apply. (C.G.S. 54-102b)

5. **Family Violence Matters**

**** Assistance at scene of family violence incident.** At the scene of a family violence incident the peace officer shall provide the following assistance to the victim, among other things.

- assistance in obtaining medical treatment if required
- notification of the right to file an affidavit or warrant for arrest

- information on the services available and reference to the Office of Victim Services

In addition, in cases where it is determined that no cause exists for arrest the officer shall remain at the scene for a reasonable time until, in the reasonable judgment of the officer, the likelihood of further imminent violence has been eliminated. (C.G.S. 46b-38b)

**** Relief from Abuse by Family or Household Member.** A victim of assault by a spouse or former spouse, family or household member may request the arrest of the offender, request that the court issue a protective order or apply to the court for a restraining order. Family Violence Intervention Units can provide information about these issues. (C.G.S. 54-203(b)(7)(I), 46b-15, 46b-38c)

**** Protective Orders.** In cases of family violence, the court MAY issue a protective order, a copy of which shall be sent to the victim by the clerk of the court and a certified copy of which shall be sent within forty-eight (48) hours of its issuance to the appropriate law enforcement agency. (C.G.S. 46b-38c)

In stalking cases, upon the arrest of a person, the court MAY issue a protective order, a certified copy of which shall be sent to the victim and a certified copy of which shall also be sent to the appropriate law enforcement agency within forty-eight (48) hours of issuance. (C.G.S. 54-1k)

**** Standing Criminal Restraining Orders.** If a person is convicted of certain specified assault or sexual assault offenses against a family or household member, the court MAY issue a standing criminal restraining order which shall remain in effect until modified or revoked by the court for good cause shown. (C.G.S. 53a-40e)

**** Availability of Services of Local Family Violence Intervention Units.** Each geographical area of the Superior Court shall have a local Family Violence Intervention Unit which shall take referrals from a judge or prosecutor and shall provide or arrange for services for victims and offenders. (C.G.S. 46b-38c)

6. **Miscellaneous**

**** Employment Rights.** An employer may not fire, harass or otherwise retaliate against an employee for appearing under a subpoena as a witness in any criminal proceeding. (C.G.S. 54-85b)

**** Availability of Telephone Hotline.** The Office of Victim Services makes a telephone hotline available to provide victims with information on referrals for various services for victims of crimes and their families. (C.G.S. 54-203(b)(10))

APPENDIX C
Uniform Crime Report Definitions

APPENDIX C

UCR Definitions	
Murder	“willful killing of one human being by another”
Rape	“carnal knowledge of a female forcibly and against her will”
Robbery	“taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or violence, or putting the victim in fear”
Aggravated Assault	“unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury”
Burglary	“forcible entry of a structure; unlawful entry where no force is used; and attempted forcible entries to commit burglary”
Larceny-Theft	“unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another”
Motor Vehicle Theft	“theft or attempted theft of a motor vehicle”

APPENDIX D
Compensation Areas

Compensation Areas

Area One

Andover
Ashford
Bolton
Bozarah
Bridgeport : H-Z
Brooklyn
Canterbury
Chaplin
Chester
Clinton
Colchester
Columbia
Coventry
Danielson
Dayville
Deep River
Eastford
East Lyme
Ellington
Essex
Fenwick
Franklin
Griswold
Groton Long Point
Guilford
Hampton
Hebron
Jewitt City
Killingly
Killingworth
Lebanon
Ledyard
Lisbon
Lyme
Madison
Mansfield
Marlborough
Montville
New Haven
No. Stonington
Old Lyme
Old Saybrook
Pomfort

Preston
Putnam
Salem
Scotland
Somers
Sprague
Stafford
Stafford Springs
Sterling
Stonington
Thompson
Tolland
Uncasville
Union
Voluntown
Waterford
Westbrook
Willimantic
Willington
Windham
Woodstock

Area Two

Ansonia
Avon
Bantam
Barkhamsted
Beacon Falls
Bethany
Bethel
Bethlehem
Branford
Bridgewater
Bridgeport: A-G
Brookfield
Burlington
Canaan
Canton
Cheshire
Colebrook
Cornwall
Danbury
Darien

Derby
Durham
East Granby
East Haddam
East Hampton
East Haven
Easton
Farmington
Goshen
Granby
Greenwich
Haddam
Hartland
Harwinton
Higganum
Litchfield
Meriden
Middlebury
Middlefield
Milford
Monroe
Morris
Naugatuck
New Canaan
New Fairfield
New Hartford
New Milford
Newtown
Norfolk
North Branford
North Canaan
North Haven
Orange
Oxford
Plainville
Plymouth
Portland
Prospect
Redding
Ridgefield
Roxbury
Salisbury
Seymour
Sharon

Shelton
Sherman
Simsbury
Southbury
Southington
Terryville
Thomaston
Torrington
Wallingford
Warren
Washington
Waterbury
Watertown
Wilton
Winchester
Winsted
Wolcott
Woodbridge
Woodbury
Woodmont
Weston
Westport
Kent

South Windsor
Stamford
Stratford
Suffield
Trumbell
Vernon
West Hartford
West Haven
Wethersfield
Windsor
Windsor Locks

Area Three

Berlin
Bloomfield
Bristol
Cromwell
East Hartford
East Windsor
Enfield
Fairfield
Glastonbury
Groton
Hartford
Manchester
Middletown
New Britain
New London
Newington
Norwalk
Norwich
Plainfield
Rocky Hill

APPENDIX E
Profile of Victim Compensation Claimants

APPENDIX E
Profile of Victim Compensation Claimants

Examination of the type of crime by the victim's gender is shown in Table E-1. Physical assault was by far the most common type of crime committed against male victims. For women seeking compensation, physical and/or sexual assault were the two most common types of crimes totaling 73 percent of all female victims. The second most frequent type of crime for male victims was homicide followed by robbery with personal injury. The opposite was true for women with robbery with personal injury outnumbering the female homicide victims.

TABLE E-1. TYPES OF CRIMES COMMITTED AGAINST MALE AND FEMALE VICTIMS.	
Men (N=244)	Women (N=110)
1.) Physical Assault (70%)	1.) Physical Assault (49%)
2.) Homicide (13%)	2.) Sexual Assault (24%)
3.) Robbery w/ injury (9%)	3.) Robbery w/ injury (11%)
4.) Motor vehicle (5%)	4.) Homicide (8%)
5.) Sexual Assault (2%)	5.) Motor Vehicle (8%)
Source of Data: LPR&IC staff analysis	

When compared by age, most claims for sexual assaults were for female victims under the age of 30. The majority of robberies with personal injury involved victims aged 50 and older, while physical assaults were mainly individuals in their 20s and 30s.

Status of offender. The apprehension or conviction of the offender is not required for a victim to submit an application. However, the file review showed in 48 percent of the cases an arrest was made regarding the incident at the time the application was made. In 64 percent of the cases, the victim reported not knowing the offender.

APPENDIX F
Contracted Provider Survey

Legislative Program Review and Investigations Committee Contracted Provider Survey – Office of Victim Services Study

The Legislative Program Review and Investigations Committee is conducting a performance evaluation of the Office of Victim Services. This survey is intended to gather information on the satisfaction levels of those agencies that receive funding through the Office of Victim Services. This information is important in assisting Program Review to evaluate the OVS efforts to collaborate with contracted service providers. The results of this survey will be presented in the aggregate; *all individual responses will be kept confidential*. Please answer the questions below and return the survey in the enclosed envelope by **August 19, 1998**.

(Optional) Please circle the categories below that describe the issue area(s) addressed by your agency:

Homicide support Child abuse Domestic violence Sexual assault Robbery Assault other: _____

Please read the statements below and circle the number that best represents your opinion.

	Strongly Agree	Agree	Not Applicable /Neutral	Disagree	Strongly Disagree
1. OVS makes effective use of contracted service providers in meeting the needs of crime victims.	(36%)	(50%)	(7%)	(--)	(7%)
2. OVS makes referrals to this agency when appropriate.	(14%)	(29%)	(21%)	(21%)	(14%)
3. This agency feels comfortable making referrals to other OVS programs (i.e. Victim Compensation).	(29%)	(57%)	(--)	(14%)	(--)
4. OVS staff has been helpful and professional.	(36%)	(43%)	(14%)	(7%)	(--)
5. This agency is given the information it needs to understand contract requirements and provisions.	(50%)	(29%)	(7%)	(14%)	(--)
6. OVS provides up-to-date information (e.g. changes in legislation) in order for this agency to better serve crime victims.	(14%)	(50%)	(7%)	(21%)	(7%)
7. OVS monitors this agency's efforts and offers feedback for improving service delivery.	(36%)	(50%)	(14%)	(--)	(--)
8. OVS is responsive to the needs and interests of this agency.	(21%)	(43%)	(14%)	(14%)	(7%)
9. Overall, this agency feels that OVS collaborates effectively with contracted providers and strives to coordinate efforts to assist victims.	(36%)	(43%)	(7%)	(14%)	(--)

Which of the following OVS programs have you referred clients to? Please check all that apply.

- | | |
|--|---|
| <input type="checkbox"/> Victim Compensation
<input type="checkbox"/> Homicide Outreach
<input type="checkbox"/> Court-Based Victim Advocacy | <input type="checkbox"/> 1-800 Hotline / Information Clearinghouse
<input type="checkbox"/> Post-Conviction Notification Program
<input type="checkbox"/> Other (_____) |
|--|---|

Please add any other comments about your experience working with the Office of Victim Services.

Thank you for your time in completing this survey.